

**JOURNAL**  
**OF THE**  
**House of Representatives**

**OF THE**  
**State Of Alabama**

REGULAR SESSION OF 1955

HELD IN THE CITY OF MONTGOMERY  
COMMENCING TUESDAY, MAY 3, 1955



Vol. II

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# JOURNAL

OF THE

## House of Representatives

OF THE

## State Of Alabama

TWENTY-SEVENTH DAY

House of Representatives  
Montgomery, Alabama  
Tuesday, August 2, 1955

The House met pursuant to adjournment.

### PRAYER

The session was opened with prayer by the Reverend Blount F. Davidson, Superintendent of Missions, Montgomery Baptist Association, Montgomery, Alabama.

### ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Jefferson)	Kelly	Oden
Adams	Faulk	Kendall	Payne
Albea	Ferrell	Killough	Perry
Ashworth	Franklin	Kirkham	Pirkle
Bassett	Gilchrist	Lackey	Pruitt
Boyd	Gist	Law	Ramey
Bradford	Goodwyn	Lee (Barbour)	Reynolds
Brannan	Gregory	Lee (Lawrence)	Richardson
Branyon	Grouby	Locke (Choctaw)	Roberts
Brassell	Hain	Locke (Perry)	Selman
Brewer	Hall	Love	Shumate
Broadfoot	Haltom	McClendon	Simon
Brooks	Hanby	McKay	Solomon
Brown (Lamar)	Hardy	McLendon	Speaks
Brown (Lee)	Hare	McNider	Steagall
Burkhalter	Harrison	Martin	Stembridge
Callahan	Harvey	Mathews	Stokes
Cornett	Hawkins	Mathison	Summerlin
Cox	Hodges	Meeks	Taylor
Davis	Holliman	Molette	Thomas
Dawkins	Huddleston	Money	Tyson
deGraffenried	Hunt	Murphy	Vacca
Dement	Jenkins	Nettles	Ward
DeSear	Johnson (Elmore)	Nice	Windle
Dickson	Johnson (Tallapoosa)	Nolen	Wood
Edwards (Escambia)	Kaul	Oakley	

A quorum was present.

## REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-sixth legislative day and finds the same to be correct.

RANKIN FITE,  
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the twenty-sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the twenty-sixth legislative day was approved.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 140. To define the power, authority and jurisdiction of the courts in proceedings on forfeitures of undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties in the State having a population of not less than 63,750 nor more than 72,750 inhabitants according to the last or any subsequent federal decennial census; and to authorize the courts in such counties to remit in whole or in part the penalty of such bail bonds as the ends of justice may appear to require.

Also:

H. 680. To apply in counties having a population of not less than 63,700 nor more than 70,000, according to the last or any subsequent federal decennial census; authorizing and directing the county governing body to provide the coroner with office space, certain equipment, furniture, supplies, and services at the expense of the county.

Also:

H. 702. To apply in all counties in the State having a population of not less than 63,750 nor more than 72,750 inhabitants according to the last or any subsequent federal decennial census; authorizing the clerk of the circuit court to issue warrants in criminal cases.

Also:

H. 703. Relating to Bullock County; proposing an amendment to the Constitution of Alabama relative to regulating the fees, commissions, allowances and salaries of certain officers of Bullock County, and ordering an election thereon.

Also:

H. 704. Relating to Bullock County: Fixing the compensation of the tax assessor and the tax collector of Bullock County.

Also:

H. 729. To provide the sheriff of Lowndes County, Alabama with a deputy sheriff in addition to those now provided by law; and to prescribe his appointment and duties; to fix the salary of said deputy and to designate the fund out of which said salary shall be paid; and to fix the effective date of this Act.

Also:

H. 731. To apply in Randolph County only; regulating further the

taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Also:

H. 735. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 740. To alter and extend the boundaries of the City of Mountain Brook.

Also:

H. 456. To make an appropriation in the amount of \$2,000, or so much thereof as may be necessary, to the Department of Industrial Relations for the purchase of equipment and supplies for the Division of Safety and Inspection within said Department, which appropriation shall be in addition to any and all other appropriations heretofore made for said Department for the fiscal year October 1, 1954-September 30, 1955.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 262. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the Court of County Commissioners; providing for the organization, powers, jurisdiction, and duties of the Court of County Commissioners, and for the qualifications, manner of election, and compensation of its members; and regulating the county purchasing procedures.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Lee (Lawrence) the House concurred in and adopted the Senate amendment to the bill, H. 262, said Senate amendment being as follows:

Amendment of H. B. 262:

Strike out the words "thirty days after the date of its enactment" appearing in Section 11 of the bill and insert in lieu thereof the words "forty-five days after the date of its enactment."

Also, strike out the last three sentences in Section 11 and insert the following in lieu thereof:

If a majority of the votes are "yes," the provisions of this Act shall become effective on the tenth day following the date of such election; and the Court of County Commissioners provided for in this Act shall be established as of such day. If a majority of the votes are "no," this Act shall have no further effect. The results of the election shall be certified by the judge of probate to the Secretary of State within thirty

days from the date of the election, and the Secretary of State shall make a permanent record thereof.

Yeas 73; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Hunt	Murphy
Adams	Edwards (Jefferson)	Johnson (Elmore)	Nettles
Albea	Faulk	Johnson (Tallapoosa)	Oakley
Ashworth	Ferrell	Killough	Oden
Bassett	Franklin	Kirkham	Payne
Boyd	Gist	Law	Perry
Bradford	Goodwyn	Lee (Barbour)	Reynolds
Brannan	Gregory	Lee (Lawrence)	Roberts
Branyon	Grouby	Locke (Choctaw)	Selman
Brassell	Hain	Locke (Perry)	Solomon
Brooks	Haltom	McClendon	Speaks
Brown (Lamar)	Hanby	McKay	Steagall
Burkhalter	Hardy	McLendon	Stembridge
Cornett	Hare	McNider	Summerlin
Davis	Harvey	Mathison	Taylor
Dawkins	Hodges	Meeks	Tyson
deGraffenried	Holliman	Molette	Ward
Dement	Huddleston	Money	Windle
Dickson			

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**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 657. Relating to Blount County: To regulate further the public school system of the county; to provide for the election of members of the county board of education; to fix their term of office; to prescribe their qualifications, duties and compensation; and to direct them to prescribe a school term in accordance with the wishes of patrons of such schools as shown by an election, hereby ordered, on the question of whether or not the public schools shall be operated for a term of consecutive months or a split term; repealing conflicting laws.

J. E. SPEIGHT,  
Secretary.

**SENATE MESSAGE**

On motion of Mr. Gregory the House concurred in and adopted the Senate amendment to the bill, H. 657, said Senate amendment being as follows:

Amendment of H. B. 657:

Amend Section 2 of the bill by adding thereto the following:

"No more than one member of the board shall be a resident of the city of Oneonta."

Also, strike out Section 4 and substitute the following:

"Section 4. The board shall establish and maintain a shop or garage at some central location in the county for the repair and maintenance of all the school buses owned by the county, such location to be selected at the discretion of the board; and such shop shall be under the supervision of the county superintendent of education."

Also, strike out the sentence appearing in Section 5 which reads as follows: "At the election the question of whether the respective schools in Blount County shall operate for a term of consecutive months or be split shall be submitted to a vote of the electors of the several school districts of the county." Insert in lieu thereof the following sentence: "At the election the question of whether the respective schools in Blount County shall operate for a term of consecutive months or be split shall be submitted to a vote of the electors residing in the several high school attendance districts of the county as prescribed by the board.

Also, strike out the words "public school district" appearing in Section 5 of the bill and insert in lieu thereof the words, "high school attendance district."

Yeas 81; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Killough	Oakley
Adams	Faulk	Kirkham	Oden
Albea	Ferrell	Law	Payne
Ashworth	Franklin	Lee (Barbour)	Perry
Bassett	Gist	Lee (Lawrence)	Pirkle
Boyd	Gregory	Locke (Choctaw)	Ramey
Bradford	Hain	Locke (Perry)	Reynolds
Brannan	Haltom	McClendon	Roberts
Branyon	Hanby	McKay	Selman
Brassell	Hardy	McLendon	Solomon
Brewer	Hare	McNider	Speaks
Brooks	Harvey	Martin	Steagall
Brown (Lamar)	Hawkins	Mathison	Stembridge
Burkhalter	Hodges	Meeks	Stokes
Callahan	Holliman	Molette	Summerlin
Cornett	Huddleston	Money	Taylor
Cox	Hunt	Murphy	Thomas
deGraffenried	Johnson (Elmore)	Nettles	Tyson
DeSear	Johnson (Tallapoosa)	Nice	Ward
Dickson	Kendall	Nolen	Windle
Edwards (Escambia)			

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**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S.J.R. 57. WHEREAS, by Act No. 786 of the 1951 Legislature, 1951 General Acts of Alabama, page 1384, the Legislature made it unlawful for any person to take, catch, stun, or kill or attempt to take, catch, stun or kill any game or non-game fish by means of any electrical device or instrument capable of stunning or killing fish, which instrument or device is not expressly allowed by law, and

WHEREAS, many fishermen in the State of Alabama believe that the use of such electrical devices are not harmful to the fishing industry and do not deplete the streams of Alabama of fish, and

WHEREAS, research is being conducted by the Biologists of the Department of Conservation of the State of Alabama to ascertain the affects of the use of such electrical devices in the taking or catching of fish from the public waters of this State.

NOW, THEREFORE, BE IT RESOLVED by the Senate of Alabama, the House concurring, that a Joint Committee be appointed by the President of the Senate and the Speaker of the House of Representatives, comprising two members of the Senate and three members of the House, to correlate the results of this biological study and report its findings to the Legislature of Alabama when it next convenes in Regular Session for the purpose of the passage of laws consistent with the findings of the biological research on said matter.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Cooper and Davis (Lowndes).

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Oakley the rules were suspended and the House concurred in and adopted the S.J.R. 57 set out in the above and foregoing Message from the Senate.

And the Speaker appointed as a Committee on part of the House Messrs. Oakley, McNider and Hodges.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H.B. 584. To provide for and authorize for any municipality in the State the incorporation of a board, as a public corporation, for the purpose of acquiring, owning, leasing, equipping, improving, maintaining, and enlarging a medical clinic within the municipality; to provide for the powers, authority, and duties of such board; to authorize each such board to borrow money and issue revenue bonds, payable solely from the rentals and other revenues derived from the medical clinic or its facilities financed by such bond issue; to authorize the board to pledge its rentals and other revenues for the payment of such bonds; to regulate the issuance, sale, and refunding of such bonds and other matters in connection therewith; to exempt from taxation the properties acquired under authority of this Act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor, and lease agreements made hereunder, and all documents executed by or delivered to any corporation organized hereunder; to provide that the bonds issued by such boards shall be legal investments for savings banks and insurance companies organized under the laws of Alabama; and to prescribe the purposes for which the proceeds derived from the sale of such bonds may be used.

RANKIN FITE,  
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 30. Relating to state government administration; creating a State Banking Department, and defining its powers and duties; trans-

ferring to the department the administration of the laws relating to banks and banking, credit unions, savings and loan associations, and the small-loan business; transferring to the department the bureau of banking, the bureau of savings and loan, and the bureau of loans of the department of commerce, and the personnel, funds, equipment, and supplies of such bureaus; providing for a Superintendent of Banks and Savings and Loan Commissioner as head of the State Banking Department; prescribing his salary, qualifications, and duties; and abolishing the Department of Commerce and the office of Director of Commerce.

Also:

H. 33. To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed four million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to confer on the corporation the power of eminent domain; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom made and any lien notices filed shall be exempt from all taxation in and any securities issued and the income therefrom and any leases the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

Also:

H. 397. Relating to Franklin County: to levy and impose additional privilege license and excise taxes for school purposes paralleling the state sales and use taxes as prescribed in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended; to provide for the collection of such taxes by the State Department of Revenue; to provide for the distribution of the proceeds thereof; and to provide for the enforcement of this Act.

Also:

H. 648. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Coffee County.

Also:

H. 658. To amend further Act No. 345, H. 793, approved September 24, 1923 (Local Acts of Alabama, 1923, page 237) which relates to the election, duties, term of office and compensation of the county superintendent of education of Blount County.

Also:

H. 687. To vacate and annul the dedication of the following described portion of Seventh Street, in the City of Tuscombua, Colbert County, Alabama: That portion of Seventh Street lying between the easterly margin line of Water Street and the westerly margin line of Main Street.

Also:

H. 697. To apply in all counties of the State having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

Also:

H. 698. To amend Section 4 and Section 5 of an Act entitled an Act "To provide for appointment of official court reporters of the circuit courts in those circuits which are now, or which may hereafter be, composed of only one county and having not less than four nor more than nine circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith", approved April 8, 1955.

Also:

H. 699. To provide further for the compensation of the circuit ~~solicitor in circuits~~ composed of one county and having not less than four nor more than nine circuit judges.

Also:

H. 701. To amend Sections 5, 17, 20, and 25 of Act No. 187, S. 339, approved June 29, 1951 (Acts of Alabama 1951, Page 438), which provides for a Firemen's and Policemen's Pension and Relief Fund in cities which have a population exceeding forty-five thousand and not exceeding fifty-four thousand inhabitants according to the preliminary census of April 1, 1951, or any subsequent Federal Census.

Also:

H. 473. Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

Also:

H.J.R. 50. Relative to an interim committee, to be called the Tax Study Committee.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which



are set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 101. Relating to Winston County: To establish the Law and Equity Court of Winston County; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Winston County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Winston County, and causes pending in the Winston County Court.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Kelly, the House non-concurred in the Senate amendment to the bill, H. 101, said Senate amendment being as follows: Amendment of H. B. 101:

Strike out the words and figures "four thousand eight hundred dollars (\$4,800) per annum" appearing in Section 5 and insert in lieu thereof the words and figures "four thousand dollars (\$4,000) per annum."

On motion of Mr. Kelly, a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the bill, H. 101.

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Kelly, Selman and Oden.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Van Antwerp:

S. 292. To create in every county having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, the position of Coroner's Pathologist; to fix the qualifications therefor; to provide the method of his appointment and to fix his compensation and the manner in which it shall be paid.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

## S. 292. Local Legislation No. 1.

## REPORT OF COMMITTEE

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment.

H. 344 (with amendment). To amend Section 7 of Act Number 430, approved August 28, 1953, on Page 535 of the General Acts of Alabama of 1953 (pertaining to master and servant).

The motion of Mr. Summerlin to re-refer the bill, H. 344, was adopted. And the Speaker re-referred the bill, H. 344, to the Standing Committee on Business and Labor.

The motion of Mr. Callahan to reconsider the vote by which the bill, H. 344, was re-referred to the Standing Committee on Business and Labor was adopted.

Mr. Summerlin moved to re-refer the bill, H. 344.

The motion of Mr. Goodwyn to postpone until the twenty-ninth legislative day, consideration of the motion of Mr. Summerlin to re-refer the bill, H. 344, was adopted.

Yeas 48; Nays 44.

## Yeas:

Mr. Speaker	Dickson	Jenkins	Martin
Adams	Edwards (Jefferson)	Kendall	Molette
Bassett	Faulk	Killough	Nettles
Boyd	Franklin	Kirkham	Oakley
Bradford	Goodwyn	Lee (Barbour)	Pirkle
Brannan	Hain	Lee (Lawrence)	Pruitt
Branyon	Hall	Locke (Choctaw)	Richardson
Brooks	Hardy	Locke (Perry)	Roberts
Brown (Lee)	Hare	Love	Stokes
Cornett	Harvey	McClendon	Summerlin
Davis	Holliman	McLendon	Thomas
DeSear	Hunt	McNider	Windle

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## Nays:

Messrs.	Edwards (Escambia)	Johnson (Elmore)	Reynolds
Albea	Ferrell	Kelly	Selman
Ashworth	Gist	Law	Shumate
Brassell	Gregory	McKay	Simon
Brewer	Grouby	Meeks	Solomon
Broadfoot	Haltom	Money	Speaks
Brown (Lamar)	Hanby	Murphy	Steagall
Burkhalter	Harrison	Nice	Stembridge
Callahan	Hawkins	Nolen	Tyson
Dawkins	Hodges	Oden	Vacca
deGraffenried	Huddleston	Payne	Ward
Dement			

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## BILLS ON SECOND READING

Mr. Kelly, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill

and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 748. To amend Section 15 of Act No. 703, approved September 5, 1951, p. 1211, which relates to payments after death for public assistance recipients.

Mr. Brown (Lee), Chairman of the Standing Committee on Transportation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 688. To amend Section 2 of Act No. 669, General Acts of Alabama of 1939 and generally called the Alabama Motor Carrier Act, General Acts of Alabama 1939, Page 1066 et seq., approved July 5, 1940, and said Act as amended, by providing that the exemption contained in Subsection A (3), of Section 2 of said Act, supra, relating to motor vehicles while used in the transportation of property when the person furnishing the transportation is legally and regularly engaged in the business of selling such property, and is the owner and has the legal title to the motor vehicle involved.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 808. Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

H. 809. Relating to counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the last or any subsequent decennial census of the United States; and having two court houses and a court of county commissioners; providing for the furnishing of equipment, supplies, and additional clerks to the tax assessor and the tax collector in such counties.

H. 810. Relating to Chilton, Coosa and Elmore Counties; to prohibit the taking of fish from the public waters of these counties with hoop and fyke nets, seines, gill nets, trammel nets, fish traps or any other kind of commercial fishing gear, except setlines, trotlines, snag-lines and licensed baskets.

H. 811. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income there-

from, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

H. 813. To provide an assistant coroner for counties having a population of not less than 80,000 nor more than 94,000 inhabitants according to the last or any subsequent federal census.

H. 823. To authorize the governing body of any County in the State of Alabama having a population of at least 125,000 people and not more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indigent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

H. 827. Relating to counties having a population of not less than 63,750 nor more than 72,750: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

H. 829. To propose an amendment to the Constitution of Alabama relating to the filling of vacancies in certain county offices in Wilcox County.

The above bill was read a second time at length as required by the Constitution.

H. 830. To propose an amendment to the Constitution of Alabama relating to the levy and collection of additional property taxes in Winston County for public school purposes and for public hospital and health purposes; authorizing the county, or any public corporation designated as the agency of the county for the purpose of acquiring, constructing, equipping, maintaining and operating hospital and public health facilities to anticipate one-half of the tax levied for public hospital and health

purposes and issue interest bearing tax anticipation bonds, warrants or certificates of indebtedness of said county payable solely from and secured by a pledge of one-half of the annual proceeds of such tax.

The above bill was read a second time at length as required by the Constitution.

S. 191. To amend Section 1 of Act No. 86, approved June, 15, 1953, entitled An Act: "To amend Section 2 of Act No. 462, approved September 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing clerical assistance and office space to him."

Mr. Meeks, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 817. To provide that any territory which may be annexed to any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census shall continue to be subject to the county, town or city zone classifications as such territory was subject at the time of annexation, until such territory shall have been zoned by such city or until the expiration of one year after the date of such annexation, whichever shall first occur.

H. 819. To amend Section 2 of Act No. 634, approved September 4, 1951, Acts of Alabama of 1951, Regular Session, Page 1089, entitled "An act to prescribe certain duties and functions of county planning commissions and boards of zoning adjustment and the governing bodies in all counties having a population of 400,000 or more according to the 1940 or any succeeding Federal Census and to further define the authority, powers and functions of such boards and to authorize the governing body of such counties to enforce its rules, resolutions, regulations and ordinances and to provide remedies for the enforcement of its rules, resolutions, regulations and ordinances made by the governing bodies and to appoint a County Building Commissioner and to prescribe his authority and duties of such counties and to provide penalties for the violation of such rules, resolutions, regulations and ordinances."

Mr. Branyon, Chairman of the Standing Committee on Constitution & Elections reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 732. To require the Attorney General to digest, compile, and have printed all constitutional and general statutory provisions of this State relating to elections; to provide for the distribution of copies of such publication; and to provide funds to carry out the provisions of the Act.

#### INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Callahan and deGraffenried:

H. 831. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Tuscaloosa County authorizing said county to become indebted, in addition to all other

indebtedness, and to issue bonds in evidence thereof for the purpose of constructing and equipping a county courthouse and jail and acquiring land therefor.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Killough and Taylor: (with notice and proof):

H. 832. Relating to the General, Road and Bridge, and Gasoline Funds of Butler County: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

Local Legislation No. 1.

Notice and Proof H. 832:

#### LEGAL NOTICE

STATE OF ALABAMA,  
BUTLER COUNTY.

Notice is hereby given that at the 1955 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to the General, Road and Bridge, and Gasoline Funds of Butler County: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION ONE. The Court of County Commissioners or Board of Revenue or other like governing body of Butler County may, upon proper resolution, transfer to the Gasoline Fund of the County any surplus of the General Fund or Road and Bridge Fund of the County in the County Treasury or any part of such surplus whenever, in the judgment of such Court or Board or like governing body, it will promote the interest of the County to make such transfers. Any surplus of the General Fund or Road and Bridge Fund so transferred shall be used only for the working of the public roads or the building of the bridges or otherwise improving the roads of the County or for other work relating to the road and/or bridges of the County.

SECTION TWO. Any funds that heretofore have been transferred from the General Fund and/or the Road and Bridge Fund of the County to the Gasoline Fund of the County, and having been used for the work-

ing of the public roads or the building of bridges or otherwise improving the roads of the County or for any other work relating to the roads and/or bridges of the County may, upon proper resolution of the County Governing Body, be transferred from or repaid out of the Gasoline Fund of the County to the General Fund and/or the Road and Bridge Fund of the County in such amount as was previously transferred from the General Fund and/or Road and Bridge Fund to the Gasoline Fund of the County.

**SECTION THREE.** This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

**SECTION FOUR.** That if any section, word, paragraph, sentence, clause, provision, or portion of this Act be held unconstitutional or invalid it shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act. 40c4

**STATE OF ALABAMA,  
BUTLER COUNTY.**

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, J. G. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for 4 successive weeks, said notice having been published in the issues of July 7, 14th, 21st and 28, 1955 being numbers 40, 41, 42 and 43, respectively of Volume 90.

J. G. STANLEY

Sworn to and subscribed before me, this 30th day of July, 1955.

PAULINE B. FULTON,  
Notary Public.

By Messrs. Killough and Taylor:

H. 833 (With Notice and Proof). To authorize all cities or towns in the State of Alabama having a population of 6500 and not more than 6900 according to the last or any subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the manner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote in a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the Mayor-Council

form of government; and to provide that all laws or parts of laws in conflict with this act are repealed.

Local Legislation No. 1.

Notice and Proof H. 833:

#### LEGAL NOTICE

#### STATE OF ALABAMA, BUTLER COUNTY.

Notice is hereby given that at the 1955 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To authorize all cities or towns in the State of Alabama having a population of 6,500 and not more than 6,900 according to the last or any subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the manner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote in a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the Mayor-Council form of government; and to provide that all laws or parts of laws in conflict with this act are repealed.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section One. This act would apply only in cities having a population of not less than 6,500, nor more than 6,900 inhabitants according to the last or any subsequent decennial census of the United States.

Section Two. That there shall be elected at each general municipal election the following officers who shall compose the City Council, and who shall hold office for four years and until their successors are elected and qualified, and who shall exercise the legislative functions of city government and any other powers and duties which are or may be vested by law in the City Council or its members:

1. Councilman, place number one.
2. Councilman, place number two.
3. Councilman, place number three.
4. Councilman, place number four.



5. Councilman, place number five.

all of which said councilmen shall be elected from the city at large. The same person shall not be a candidate or be permitted to file his statement of candidacy for more than one of such places, and should a run-off be necessary, such a candidate may enter the election for only the place for which he announced his original statement of candidacy, and no ballot shall be counted for any candidate in any election, except for the place or number for which he announced in his statement of candidacy.

Section Three. Canvassing returns. Within the term provided by the General Municipal Election laws for the delivery of the boxes, the council shall proceed to open the same and canvass the returns. If any candidate for office in said election has received a majority of the votes cast for that office, then such candidate shall be declared elected to such office and a certificate of election shall be given to such person by the council or other governing body, which shall entitle the person so certified to the possession of their respective offices immediately upon the expiration of the term of their predecessors as provided by law. If no candidate receives a majority of all the votes cast in such election for any one office or offices for the election to which there were more than two candidates, or in the event of a tie vote between two or more persons for the same office, then, in either event, the council or other city governing body shall, not later than three days after such election order a new election to be held not later than seven days after such election, at which election the two candidates receiving the highest number of votes in the first election for such office or offices shall run and the person receiving the highest number of votes shall be declared elected. In the event either of the two candidates receiving the highest number of votes in the first election shall determine not to enter the run-off election herein provided for, he shall, as soon as possible and not later than three days after the holding of the first election, certify his declaration not to enter such second election to the council or other city governing body and upon receipt of such notification such governing body shall declare the other candidate elected to such office and such candidate shall receive a certificate of election and no second election need be held for that particular office, nor shall the name of the party so declining to run be printed on the ballot of any second election held under the provisions of this section. In the event there should be a tie vote cast at any such run-off election, then, in such event, such tie shall be decided by the council or other governing body. This section shall apply in all elections and to all candidates for any municipal office.

Section Four. Except as otherwise provided herein all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the mayor-council form of government.

Section Five. All laws or parts of laws in conflict with this act are repealed.

Section Six. This act shall become effective immediately upon its passage and approval by the Governor, or upon it otherwise becoming a law.

36c4

STATE OF ALABAMA,  
BUTLER COUNTY.

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, J. G. Stanley who being by me first

duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for 4 successive weeks, said notice having been published in the issues of June 7, 14, 21st and June 28, 1955 being numbers 36, 37, 38 & 39, respectively of Volume 90.

J. G. STANLEY,

Sworn to and subscribed before me, this 1st day of August, 1955.

PAULINE B. FULTON,  
Notary Public.

By Messrs. Kendall and Stokes:

H. 834. To authorize and empower the director of the highway department to issue special permits for the movement of certain over-sized vehicles over the public highways of the State.

Transportation.

By Messrs. Kendall, Dawkins, Hawkins and Harrison:

H. 835. To propose an amendment to the Constitution of Alabama authorizing the issuance of not exceeding one million dollars (\$1,000,000.00) aggregate principal amount of general obligation bonds of the State of Alabama, the proceeds of which shall be used for the purpose of financing the construction of tuberculosis sanatoria; and to provide for the payment of the principal and interest on such bonds and for the retirement thereof.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Steagall:

H. 836 (With Notice and Proof). Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.

Local Legislation No. 1.

Notice and Proof H. 836:

STATE OF ALABAMA,  
DALE COUNTY.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Dale County; fixing the compensation and provide an expense allowance for members of the county governing body.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Each member of the court of county commissioners, board of revenue or like governing body of Dale County, except the chairman or other presiding officer, shall receive a salary of two thousand four hundred dollars (\$2,400.00) per annum, payable in equal monthly payments out of the county treasury. In addition, members of the governing body other than the chairman or other presiding officer

shall each receive an allowance of seventy-five dollars (\$75.00) per month, payable out of the county treasury, as reimbursement for expenses incurred by them in the performance of their duties as members of the county governing body. The compensation provided for herein shall be in lieu of all other compensation provided by law. The chairman or other presiding officer of the court of county commissioners board of revenue or like governing body of Dale County shall continue to receive the same compensation as the chairman or other presiding officer of county governing bodies under the general law.

Section 2. This Act shall become effective upon the expiration of the term or terms of the incumbent member or members whose term or terms expire first.

#### PROOF OF PUBLICATION

STATE OF ALABAMA,  
COUNTY OF DALE.

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1955.

JOHN Q. ADAMS

Sworn to and subscribed before me August 1st, 1955.

LUCILE B. MARTIN,  
Notary Public.

By Messrs. Oden and Hawkins:

H. 837. To amend Section 73, Title 46, 1940 Code of Alabama, so that the Board, on written application, after examination, may grant a license to any applicant as a general contractor, or (1) as a building contractor, (2) as a highway contractor, (3) as a public utilities contractor or (4) as a specialty contractor as defined and limited by the Board and for re-examination in case of failure to pass the examination and the fee for such application and the renewal thereof.

Business and Labor.

By Messrs. Oden and Hawkins:

H. 838. To amend Section 80, Title 46, 1940 Code of Alabama, to provide that no awarding authority or its agent shall issue to other than a general licensed contractor or his representative, plans or specifications or proposed forms; and where bids are to be received on forms furnished by awarding authority, no proposal forms or plans or specifications shall be issued other than to a licensed general contractor or his representative.

Business and Labor.

By Messrs. Oden and Hawkins:

H. 839. To amend Section 77, Title 46, 1940 Code of Alabama, so as to make it a misdemeanor for any architect or engineer preparing plans and specifications for work to be contracted in the State of Alabama to fail to include in their invitation and plans and specifications to bidders, a copy of the contractors law, as required by Section 79, of Title 46, Code of 1940, or accept a bid or award a contract from a

contractor not licensed under Chapter 4 of Title 46, Code of Alabama of 1940, and also to make it a misdemeanor for a contractor to submit a bid for work in Alabama, who is not licensed under Chapter 4 of Title 46, Code of Alabama of 1940, and provide penalties therefor.

Business and Labor.

By Mr. Richardson:

H. 840. To amend Section 3 of Act No. 463, General Acts of Alabama 1953, page 566, approved August 31, 1953, entitled "An Act to amend Sections 1, 2, 3, 4, and 5, of Act No. 523, General Acts of Alabama 1947, page 379, approved September 30, 1947, entitled "An Act to create and establish a Water Improvement Advisory Commission; to define the duties, jurisdiction, and powers of such Commission; to provide for its personnel, and the term of office and method for appointment of same; to provide for regular and special meetings of said Commission; to appropriate the sum of Fifty Thousand and no/100 (50,000.00) Dollars annually for each of the fiscal years 1948 and 1949 for the purpose of carrying out the provisions of this Act; and for other purposes." Sections 1 and 3 of said Act No. 523 having been amended By Act No. 460, General and Local Acts 1949, page 667, approved August 25, 1949, entitled "An Act to amend Sections 1 and 3 of Act No. 523, Senate Bill 315, approved September 30, 1947, entitled 'An Act To create and establish a Water Improvement Advisory Commission; to define the duties, jurisdiction, and powers of such commission; to provide for its personnel, and the term of office and method for appointment of same; to provide for regular and special meetings of said Commission; to appropriate the sum of Fifty Thousand and no/100 (50,000.00) Dollars annually for each of the fiscal years 1948 and 1949, for the purpose of carrying out the provisions of this Act; and for other purposes.' ", by changing the name of the Water Improvement Advisory Commission to the Water Improvement Commission; by providing for nominations for membership representing the lumbering industry to be made by Alabama Forest Products Association; by providing for the declaration of a vacancy by the Commission when certain representative members are absent from three consecutive meetings; and by providing for the filling of such vacancies; by providing for the filling of vacancies of the members representing the University of Alabama and the Alabama Polytechnic Institute; by establishing an Executive Committee for the Water Improvement Commission, and prescribing the manner of appointment, powers, duties and term of the members of said Executive Committee; by providing for the Commission to cooperate and advise with municipalities; by deleting provisions for the designation of industrial streams by the Commission and by deleting certain named streams and waters as industrial streams; by deleting the requirement that the Commission's rules and regulations be approved by the Legislature; by authorizing the Commission to determine when persons violate or are about to violate provisions of this Act, and to notify such persons and require a report to be filed with the Commission, and authorizing the Commission after receiving such report to make such orders as are reasonable and necessary; by authorizing the Commission to control the quantity of pollution existing prior to August 25, 1949, if said pollution creates a health hazard, and by authorizing the Commission to control new or increased pollution since said date; by requiring municipalities, industries and persons to obtain permits for discharging sewage and waste; by prescribing the mode of review of rules and orders made by the Commission, and by regulating and providing for such review by the Commission, the Circuit Court and the Supreme Court; by authorizing the Commission to enforce the terms of permits issued by issuing orders to cease and desist; by providing for a criminal penalty for

persons willfully violating final orders of the Commission or the provisions of Section 3 (h) of this Act; by establishing a Water Improvement Commission Fund and enumerating the contents thereof, and by providing for the expenditure and disposition of said funds; to preserve the terms of the members of the Water Improvement Advisory Commission as members of the Water Improvement Commission and to transfer all matters pending before the Water Improvement Advisory Commission to the Water Improvement Commission, and to provide that all jurisdiction exercised and acts performed by the Water Improvement Advisory Commission be considered as acts of the Water Improvement Commission;" by deleting from the Act those provisions allowing for pollution existing in an effluent prior to August 25, 1949, "and to provide for the effective date of this Act."

#### Conservation.

By Messrs. Solomon, Lee (Barbour), Harrison and Mathison:

H. 841. To amend Section 3 of Act No. 560, S. 369, approved July 9, 1943, which regulates the labeling, sale and offering or exposing for sale or distribution of agricultural, vegetable, flower, and herb seeds.

#### Business and Labor.

By Messrs. Gist and Money:

H. 842. To propose an amendment to the Constitution of Alabama relative to the compensation of the sheriff of Jackson County.

#### Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Gist and Money:

H. 843 (With Notice and Proof). To change the method of compensation of the sheriff of Jackson County; placing such officer on a salary; and providing for the operation of the sheriff's office under the salary system.

#### Local Legislation No. 1.

Notice and Proof H. 843:

### NOTICE

STATE OF ALABAMA,  
COUNTY OF JACKSON.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To change the method of compensation of the sheriff of Jackson County; placing such officer on a salary; and providing for the operation of the sheriff's office under the salary system.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sheriff of Jackson County shall be paid an annual salary of six thousand dollars (\$6,000), which shall be paid at the rate of five hundred dollars (\$500) monthly.

Section 2. The salaries of the deputy sheriffs and all other necessary expenses of operating the sheriff's office and performing the duties

of sheriff, except for the employment of a clerk for the sheriff's office, shall be paid by the county. The sheriff shall be provided two automobiles for use on official business and in connection with the performance of his official duties. The original cost of such automobiles and the expense of their operation shall also be paid by the county.

Section 3. The salary provided for herein shall be in addition to the amounts received by the sheriff for feeding and caring for prisoners. All other fees, commissions, percentages, and allowances heretofore collectible for the use of the sheriff and his deputies shall be collected and paid into the general fund of the county. The salary of the sheriff shall be paid out of the general fund of the county.

Section 4. This Act shall become effective immediately upon the ratification and proclamation of an amendment of the Constitution authorizing the Legislature to change the method and basis of compensation of the sheriff of Jackson County. 621S4

#### PROOF OF PUBLICATION

STATE OF ALABAMA,  
COUNTY OF JACKSON.

Before me, the undersigned authority in and for said County in said State, this day personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Jackson County Sentinel, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1955.

P. W. CAMPBELL

Sworn to and subscribed before me Aug. 1, 1955.

C. O. REED,  
Notary Public.

By Messrs. Gist and Money:

H. 844 (With Notice and Proof). Relating to Jackson County; regulating further the office of the sheriff of Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or like county governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 844:

#### NOTICE

STATE OF ALABAMA,  
COUNTY OF JACKSON.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Jackson County; regulating further the office of the sheriff of Jackson County; authorizing the sheriff to appoint three

additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or like county governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The sheriff of Jackson County is hereby authorized to appoint, immediately upon the effective date of this Act, three deputies in addition to the chief deputy provided for by law. The sheriff shall certify the names of the deputies appointed by him to the court of county commissioners, board of revenue, or like county governing body of Jackson County. Each such deputy shall be a qualified elector of Jackson County, and shall serve at the pleasure of the sheriff.

Section 2. The deputies provided for herein shall have the same powers, duties and authority as deputy sheriffs under the general laws of this State, and shall be subject to the supervision and control of the sheriff at all times. For the performance of their official duties, each such deputy shall receive a salary of two thousand seven hundred dollars (\$2,700.00) per annum, payable in equal monthly installments out of the general funds of the county.

Section 3. The court of county commissioners, board of revenue, or like county governing body of Jackson County is hereby authorized to pay to the sheriff of the county the sum of one thousand two hundred dollars (\$1,200.00) per annum, payable in equal monthly installments out of the general funds of the county, to defray the operational and maintenance cost of transportation incurred by the three deputies provided herein in the performance of their official duties.

Section 4. Act No. 209, S. 313, approved June 22, 1943 (Local Acts of Alabama, 1943, p. 110); Act No. 95, H. 403, approved June 18, 1951 (Acts of Alabama, 1951, p. 317); Act No. 96, H. 404, approved June 13, 1951 (Acts of Alabama, 1951, p. 318); and all other laws or parts of laws in conflict with this Act are hereby repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**PROOF OF PUBLICATION**

**STATE OF ALABAMA,  
COUNTY OF JACKSON.**

Before me, the undersigned authority in and for said County in said State, this day personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

**P. W. CAMPBELL**

Sworn to and subscribed before me July 23, 1955.

C. O. REED,  
Notary Public.

By Messrs. Gist and Money:

H. 845 (With Notice and Proof). To amend further Act No. 65, H. 81, approved November 4, 1950, which created the board of revenue for Jackson County and abolished the court of county commissioners.

Local Legislation No. 1.

Notice and Proof H. 845:

### NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and applications for its passage and enactment will be made, to-wit:

### A BILL TO BE ENTITLED AN ACT

To amend further Act No. 65, H. 81, approved November 4, 1950, which created the board of revenue for Jackson County and abolished the court of county commissioners.

### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 3 of Act No. 65, H. 81, approved November 5, 1950, the Act which created the board of revenue for Jackson County and abolished the court of county commissioners (Acts of 1950-51, Vol. I, p. 126), is amended to read as follows:

"Section 3. At the general election in November, 1952, and every four years thereafter, the qualified electors of Jackson County shall elect from the county at large a chairman of the Board of Revenue and a member of the Board of Revenue for each of the four commissioners' districts in the county as they are now constituted. A candidate for chairman of the Board must be a qualified elector and legal resident of Jackson County. Each candidate for associate member of the Board must be a qualified elector and legal resident of the district he seeks to represent. The chairman and members of the Board shall assume office the first Monday after the second Tuesday in January, 1953, and every four years thereafter. They shall hold office for a term of four years and until their successors are elected and qualified. The chairman shall be paid a monthly salary of three hundred dollars (\$300) per month, to be paid from the county treasury; and he shall receive no other compensation except as may be specifically provided herein. Each member of the Board shall receive twelve dollars (\$12) for each day's service, not to exceed forty eight (\$48) per month and travel expenses of ten cents per mile travelled in attending regular and special meetings of the Board."

Section 2. Section 4 of said Act No. 65, as amended, is amended further to read as follows:

"Section 4. The chairman and each member of the Board shall, before entering upon the duties of his office, take the statutory oath of office and make and file with the Judge of Probate a bond, with good and sufficient sureties, payable to Jackson County, and conditioned upon the faithful performance of the duties of his office. The bond of the chairman is hereby fixed at five thousand dollars (\$5,000); the bond of each other member shall be two thousand dollars (\$2,000). In the



case of a vacancy on the Board, such vacancy shall be filled by appointment by the Governor for the unexpired term. Neither the chairman nor any member of the Board shall hold any other remunerative public office."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA, COUNTY OF JACKSON.

Before me, the undersigned authority in and for said County in said State, this day personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

P. W. CAMPBELL

Sworn to and subscribed before me August 1, 1955.

C. O. REED,  
Notary Public.

By Messrs. Vacca and Meeks:

H. 846. To amend Alabama Equity Rule 26 of the Code of Alabama of 1940 which relates to the Cross Bill.

Judiciary.

By Messrs. Vacca and Meeks:

H. 847. To amend Title 7, Section 195 of the Code of Alabama of 1940 which relates to the Mode of Serving Process On Minors Under Fourteen Years of Age, and on Their Parents, Custodians, And/Or Guardian.

Judiciary.

By Messrs. Vacca and Meeks:

H. 848. To amend Alabama Equity Rule Five, Section 2, Sub-Section C, of the Code of Alabama of 1940, which relates to Service Upon Said Non-Resident Infant Defendants.

Judiciary.

By Messrs. Vacca and Meeks:

H. 849. To amend Title 7, Section 194, of the Code of Alabama of 1940, which relates to Service When Defendant Is An Infant Over Fourteen Years Of Age.

Judiciary.

By Messrs. Vacca and Meeks:

H. 850. To amend Equity Rule Five, Section One, Sub-Section B, which related to Service Upon Resident Infants.

Judiciary.

By Mr. Vacca:

H. 851. To prescribe safety measures for boats which are rented, offered for hire, or furnished with or without charge to the public for recreational purposes or for hunting or fishing in the public or private waters of Alabama and to provide for the inspection of such boats

and the regulation and use thereof. To provide a license for such boats. To provide how the license shall be issued and who shall issue them. To provide for the disposition of the revenue derived from such licenses. To provide a penalty for the violation of this Act. To repeal all laws in conflict herewith and to provide when this act shall become effective and for other purposes.

Judiciary.

By Messrs. Brown (Lamar), Branyon and Fite:

H. 852. Proposing an amendment of the Constitution to strike out and repeal the provisions of Amendment XCIII submitted November 4, 1952, and proclaimed ratified November 19, 1952, relating to the expenditure of fees, taxes, and charges for the registration, operation or use of motor vehicles, etc.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Lee (Lawrence):

H. 853 (With Notice and Proof). Relating to Lawrence County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of Lawrence County to pay to the Sinclair Refining Company the sum of one hundred seventy-one dollars and thirty-five cents (\$171.35) out of the gasoline tax fund in the county treasury to compensate the company for damages to two gasoline pumps which were struck and destroyed by a county truck then being used in county road work.

Local Legislation No. 1.

Notice and Proof H. 853.

STATE OF ALABAMA,  
COUNTY OF LAWRENCE.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Lawrence County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of Lawrence County to pay to the Sinclair Refining Company the sum of one hundred seventy-one dollars and thirty-five cents (\$171.35) out of the gasoline tax fund in the county treasury to compensate the company for damages to two gasoline pumps, which were struck and destroyed by a county truck then being used in county road work.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Lawrence County is hereby authorized and directed to pay to the Sinclair Refining Company the sum of one hundred seventy-one dollars and thirty-five cents (\$171.35) out of the gasoline tax fund in the county treasury to compensate the said Sinclair Refining Company for damages to two gasoline pumps which were struck and destroyed by a county truck then being used in county road work.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

25-4

## PROOF OF PUBLICATION

STATE OF ALABAMA,  
COUNTY OF LAWRENCE.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for for successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1955.

JEANETTE LANG McKELNEY,

Sworn to and subscribed before me July 29th, 1955.

ARTHUR F. SLATON,  
Owner.

By Mr. Brown (Lee):

H. 854. To make an additional appropriation to the Board of Registration for Professional Engineers and Land Surveyors for the Fiscal years ending September 30, 1956 and September 30, 1957.

Judiciary.

By Mr. Brown (Lee):

H. 855. To regulate the practices of engineering and land surveying; providing for the registration of qualified persons as professional engineers and land surveyors, and providing for registration of Engineers-in-Training; defining the terms "Engineer," "Professional Engineer," "Engineer-in-Training," "Practice of Engineering," "Land Surveyor," "Practice of Land Surveying" and "Responsible Charge"; creating a State Board of Registration for Professional Engineers, Engineers-in-Training, and Land Surveyors, and providing for the appointment of its members; fixing the term of the Board and defining its powers and duties; setting forth the minimum qualifications and other requirements for registration; establishing fees with expiration and renewal requirements; imposing certain duties upon the state and political subdivisions thereof in connection with public work, and providing for the enforcement of this Act and penalties for its violation; and to repeal Sections 129 through 150 inclusive of Title 46, Chapter 7, Code of Alabama (1940), as amended.

Judiciary.

Messrs. Roberts and Reynolds:

H. 856 (With Notice and Proof). For the relief of Harold E. Simmons of Madison County: Appropriating one hundred dollars (\$100) from the general fund in the county treasury of Madison County to be paid to Harold E. Simmons for property damages sustained when his automobile was struck by a county highway truck in 1953.

Local Legislation No. 1.

Notice and Proof H. 856:

STATE OF ALABAMA,  
COUNTY OF MADISON.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

For the relief of Harold E. Simmons of Madison County: Appropriating one hundred dollars (\$100) from the general fund in the county treasury of Madison County to be paid to Harold E. Simmons for property damage sustained when his automobile was struck by a county highway truck in 1953.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of one hundred dollars (\$100) is hereby appropriated from any funds in the treasury of Madison County, Alabama, not otherwise appropriated, for the use and benefit of Harold E. Simmons, of Madison County, to compensate him for property damages sustained when his automobile was struck by a county highway truck during the year 1953, and for the recovery of which damages the said Harold E. Simmons had or has no recourse at law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 29, July 6, 13 & 20, 1955.

PROOF OF PUBLICATION

STATE OF ALABAMA,  
COUNTY OF MADISON.

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Langhorne, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1955.

J. M. LANGHORNE,  
General Manager.

Sworn to and subscribed before me July 21, 1955.

CHARLEY W. HOLDER,  
Notary Public.

PURSUANT TO NOTICE IN WRITING

previously given, Mr. Roberts moved to have the House direct the Committee on Public Welfare to report the bill, H. 605, to the House for consideration.

JOINT SESSION

The hour of twelve forty-five o'clock P.M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with Senate Joint Resolution No. 35 heretofore adopted, for the purpose of hearing an address by Honorable Marvin Griffin, Governor of the State of Georgia.

The joint session was called to order by Honorable W. Guy Hardwick, Lieutenant Governor and Presiding Officer of the Senate.

The lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

#### RECESS

On motion of Mr. Stokes the House recessed until 3:30 o'clock this afternoon.

#### AFTERNOON SESSION

The hour of 3:30 o'clock P.M. having arrived, the House reconvened.

#### INTRODUCTION OF BILLS

The rules were suspended, and bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Hawkins and Hanby:

H. 857. To amend further Section 425 of Title 51, Code of Alabama (1940), as amended, which relates to the excise tax on financial institutions, so as to allow financial institutions to carry back their net operating losses to apply as a deduction against prior income, and to deduct from succeeding years' income the excess loss, if any, not absorbed thereby.

#### Ways and Means

By Mr. Holliman:

H. 858. To repeal Act No. 46, H. 36, approved April 6, 1955, entitled "An Act To regulate the sale of eggs in Alabama by requiring accurate labeling of containers in which eggs are sold; to require accurate labeling of such egg containers with respect to the grade and weight classes of eggs contained therein and to authorize the State Board of Agriculture and Industries to establish reasonable standards, grades of quality and weight classes for the sale of eggs; to levy and collect an inspection fee upon the sale of eggs and to require egg dealers to obtain a permit from the Commissioner of Agriculture and Industries before engaging in the sale of eggs; to make an appropriation to defray costs and expenses incident to the administration and enforcement of this Act; to authorize the adoption of rules and regulations for the execution of this Act and to provide exemptions of the sale of eggs from this Act; prescribe a penalty for violations together with other administrative and enforcement provisions; to repeal Article 15 of Title 2, Code of Alabama of 1940."

#### Business and Labor

By Messrs. Murphy, Simon and Tyson (with notice and proof):

H. 859. To regulate drawing of warrants on the Treasury of Mobile County or on any fund of such County and the signing thereof, for the payment of all salaries, wages, materials, equipment or supplies which are now or which may become a charge against Mobile County or any fund thereof, except warrants or certificates drawn for the payment of jurors, witnesses and election officials; to provide that all such warrants shall be drawn and signed by the Chairman of the Board of Revenue and Road Commissioners and by no other officer of Mobile County and to repeal all laws in conflict herewith.

Notice and Proof H. 859

Local Legislation No. 1

## LEGAL NOTICE

Notice is hereby given that the following bill, in substance, will be offered for introduction and passage in the Legislature of Alabama, viz:

A BILL  
TO BE ENTITLED  
AN ACT

To regulate drawing of warrants on the Treasury of Mobile County or on any fund of such county and the signing thereof, for the payment of all salaries, wages, materials, equipment or supplies which are now or which may become a charge against Mobile County or any fund thereof, except warrants or certificates drawn for the payment of jurors or witnesses; to provide that all such warrants shall be drawn and signed by the Chairman of the Board of Revenue and Road Commissioners and by no other officer of Mobile County and to repeal all laws in conflict herewith.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That from and after the effective date of this act all warrants drawn on the Treasury of Mobile County or on any fund of such county for the payment of all the salaries, wages, materials, supplies and equipment which are or which may become a charge against Mobile County or against any of the funds of Mobile County except warrants or certificates drawn for the payment of jurors or witnesses, shall be drawn and signed by the Chairman of the Board of Revenue and Road Commissioners of Mobile County and by no other officer of such county.

Section 2. It shall be unlawful for the Treasury of Mobile County to honor or to pay any warrant drawn against the Treasury of Mobile County or against any fund of such county unless such warrant is drawn and signed in accordance with the provisions of this act.

Section 3. All laws or parts of laws, whether general, special or local, in conflict with the provisions of this act be and the same hereby are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the governor.

GARET VAN ANTWERP  
TOM MURPHY,  
OTTO E. SIMON

Reg., July 7, 14, 21, 28

W. M. Curran being sworn, says that he is Auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issue of The Mobile Register, July 7-14-21-28, 1955.

W. M. CURRAN

Sworn to and subscribed before me this 28th day of July, 1955.

ALVIN A. JOHNSON,  
Notary Public.

By Messrs. Harrison, Kendall, Pruitt, Lee (Lawrence), Adams, Grouby, Jenkins, Hunt, McClendon, Lee (Barbour), Franklin, Mathison, Solomon, Stokes, Brannan and Reynolds:

H. 860. To provide for the transfer of all surplus in the State Treasury to the credit of the Alabama Special Educational Trust Fund, after the payment of all appropriations made or hereafter made payable from said fund during the fiscal year ending September 30, 1955, to the Alabama Special Educational Trust Fund Surplus Account: To provide that said funds be used exclusively for increase in the salaries of the teachers in the public school system, the institutions of higher learning, and the trade schools, and to provide for the employment of additional teachers in the public schools: To provide the method of distribution and payment thereof, and to repeal Act No. 813, approved September 19, 1953 entitled "An Act to provide for the transfer on September 30, 1955 of any surplus in the State Treasury to the credit of the Alabama Special Educational Trust Fund, after payment of all appropriations from said funds for the biennium beginning October 1, 1953 and ending September 30, 1955, to the Alabama State Building Commission to be used as a part of the Building Commission Fund."

#### Ways and Means

By Messrs. Brewer, Dement, Lee (Lawrence) and Gilchrist:

H. 861. To provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance.

#### Local Legislation No. 1

By Mr. Davis:

H. 862. To provide for the organization of a public corporation to be known as the Alabama Public Lake Association, Incorporated, in order to conserve and develop the natural resources and fresh water fish of the State of Alabama and to provide for their use and enjoyment by the people of this State, and to contribute to the recreational life of the people of this State through the construction and maintenance of public lakes, and to provide who shall be the incorporators and officers thereof, and to provide for their successors in office. To provide and prescribe the method by which said corporation shall be organized and the contents of the certificate of incorporation, and to provide for the filing of the declaration of incorporation. To provide when the proposed corporation shall become incorporated and to provide for the issuance of a certificate of incorporation. To state the purpose for which the corporation may be organized, and to enumerate and define the powers of the corporation, including the power of eminent domain. To provide for the sale of forestry products and minerals from real estate owned by said corporation. To authorize the corporation to issue and sell its bonds, including refunding bonds, and to pledge its revenues and such other funds as may be available to the said corporation therefor. To provide that such bonds when issued, or other obligations of the corporation shall not constitute an indebtedness of the State of Alabama. To provide that such bonds may be issued in the name of the corporation upon resolution of the corporation authorizing the issuance of such bonds and to provide for the content of said bonds and the denominations and maturity thereof, and to further provide for the redemption of bonds and to provide that it shall be plainly stated on the face of each bond that the same does not constitute an indebtedness of the State of Alabama. To provide for the sale of such bonds and to declare the same negotiable instruments. To provide that any resolution authorizing any particular bond issue may contain provisions which shall be a part of the contract with the holders of the bonds authorized. Such resolution may contain also a description of the property pledged for the payment of bonds and may pledge revenues to the payment of bonds and may state amounts to be charged for the use of property pledged as security for the payment of such funds and the

amounts to be raised annually for such charges and the disposition of such charges and other revenues of the pledged property. To provide for the setting aside of reserves or sinking funds for property pledged or bonds, and the disposition thereof. To provide for the operation and maintenance of pledged real estate. To provide for the amendment or abrogation of any contracts with bondholders. To provide that all property of the corporation shall be exempt from State taxation. To provide that any resolution authorizing the issuance of bonds of the corporation shall state that they were issued under the provisions of this Act, which recital shall be conclusive evidence of their validity and legality of their issuance. To provide that the corporation may, in its discretion, publish any of its resolutions in a newspaper in the City of Montgomery and to prescribe the form of such publications, and to further provide that any action in any court to set aside such resolutions or to contest the validity of such bonds or trust indenture to secure the same, must be commenced within twenty days after the first publication of such notice, and to provide that no such action shall be brought after the expiration of such period and that no right of action or defense formed upon the validity of the resolutions or the bonds shall be asserted, nor shall the validity of the resolution, trust indenture, or bond be opened to question in any court except in an action or proceeding commenced within such period. To provide that such action or any other action to enforce rights under the provisions of this Act shall be brought in the Circuit Court of Montgomery County, Alabama. To provide that no contract or agreement authorized by, or executed under the provisions of this Act shall pledge the general faith and credit of the State of Alabama or incur an indebtedness of the State of Alabama. To provide for the placing of any revenue accruing to said corporation from any source whatsoever into a corporate fund which shall be ~~used for said corporation in the furtherance of the purposes for which it is formed.~~ To provide for the expenditure of such funds. To provide for the manner in which said corporation may be dissolved and to prescribe the procedure for such dissolution, and to provide that upon dissolution, all property rights of whatsoever nature vested in said corporation shall pass to the Department of Conservation of the State of Alabama. To provide further that the corporation may not be dissolved until all of its obligations shall be discharged. To provide that the Secretary of State shall receive and record the petition for dissolution and shall record a certificate certifying that the corporation has been dissolved. To provide that no dissolution of the corporation shall affect adversely rights attaching under existing contracts, and to provide that the corporation shall be deemed to continue for suit or defense as now provided for by law. To provide that in any section, paragraph, sentence, clause, provision or portion of this Act shall be held unconstitutional or invalid, such adjudication shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act not in and of itself unconstitutional or invalid. To provide that all laws, general, special, private or local in conflict with the provisions of this Act are hereby repealed. To provide that this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

Conservation

By Mr. Callahan:

H. 863. To apply in all those counties of Alabama having a population of not less than 94,000 and not more than 134,000, according to latest or any subsequent Federal decennial census, and to further regulate the taxing powers of all municipalities without the city limits of such municipalities located in such counties.

Local Legislation No. 1



By Messrs. Nolen, Goodwyn, Dawkins and Hall:

H. 864. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Local Legislation No. 1

By Messrs. Kaul, Perry, Edwards (Jefferson), Meeks, Nice, Lackey and Vacca:

H. 865. To authorize any county of the State of Alabama having a population of 500,000 or more according to the last or any subsequent Federal census to appropriate from time to time funds of said county to any public corporation heretofore or hereafter created under Act No. 215 of the Legislature of Alabama of 1947, approved on July 24, 1947, (General Acts of Alabama of 1947, Page 81, et seq.), as said last named Act has been or may be hereafter amended.

Local Legislation No. 2

By Messrs. Lackey, Meeks, Perry, Edwards (Jefferson), Kaul, Vacca and Nice.

H. 866. To provide that any territory which becomes a city or town or part of a city or town in any county having a population of 400,000 or more according to the last or any succeeding federal census, shall continue to be subject to the regulations and restrictions relative to the use and construction of buildings and structures and the use of land for trade, industry and residences as such territory shall have been subject to at the time it became such city or town or a part of such city or town until such city or town has zoned or regulated such territory in such regards; To provide that the provisions of this Act shall not apply to any territory annexed to any city having a population of 250,000 inhabitants or more according to the last or any succeeding federal census.

Local Legislation No. 2

By Mr. Dawkins:

H. 867. To make an appropriation for the use of the Agricultural Center Board in the purchase of certain equipment.

Ways and Means

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 140. To define the power, authority and jurisdiction of the courts in proceedings on forfeitures of undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties in the State having a population of not less than 63,750 nor more than 72,750 inhabitants according to the last or any subsequent federal decennial census; and to authorize the courts in such counties to remit in whole or in part the penalty of such bail bonds as the ends of justice may appear to require.

Also:

H. 456. To make an appropriation in the amount of \$2,000, or so much thereof as may be necessary, to the Department of Industrial Re-

lations for the purchase of equipment and supplies for the Division of Safety and Inspection within said Department, which appropriation shall be in addition to any and all other appropriations heretofore made for said Department for the fiscal year October 1, 1954-September 30, 1955.

Also:

H. 680. To apply in all counties having a population of not less than 63,700 nor more than 70,000, according to the last or any subsequent federal decennial census; authorizing and directing the county governing body to provide the coroner with office space, certain equipment, furniture, supplies, and services at the expense of the county.

Also:

H. 702. To apply in all counties in the State having a population of not less than 63,750 nor more than 72,750 inhabitants according to the last or any subsequent federal decennial census; authorizing the clerk of the circuit court to issue warrants in criminal cases.

Also:

H. 703. Relating to Bullock County; proposing an amendment to the Constitution of Alabama relative to regulating the fees, commissions, allowances and salaries of certain officers of Bullock County, and ordering an election thereon.

Also:

H. 704. Relating to Bullock County: Fixing the compensation of the tax assessor and the tax collector of Bullock County.

Also:

H. 729. To provide the sheriff of Lowndes County, Alabama with a deputy sheriff in addition to those now provided by law; and to prescribe his appointment and duties; to fix the salary of said deputy and to designate the fund out of which said salary shall be paid; and to fix the effective date of this Act.

Also:

H. 731. To apply in Randolph County only; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Also:

H. 735. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 740. To Alter and Extend the Boundaries of the City of Mountain Brook.

Also:

H. 262. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18,

S. 2, approved May 18, 1951, and establishing in lieu thereof the Court of County Commissioners; providing for the organization, powers, jurisdiction, and duties of the Court of County Commissioners, and for the qualifications, manner of election, and compensation of its members; and regulating the county purchasing procedures.

Also:

H. 657. Relating to Blount County: To regulate further the public school system of the county; to provide for the election of members of the county board of education; to fix their term of office; to prescribe their qualifications, duties and compensation; and to direct them to prescribe a school term in accordance with the wishes of patrons of such schools as shown by an election, hereby ordered, on the question of whether or not the public schools shall be operated for a term of consecutive months or a split term; repealing conflicting laws.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 101. Relating to Winston County: To establish the Law and Equity Court of Winston County; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Winston County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Winston County, and causes pending in the Winston County Court.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Allen, Roberts and Eddins.

J. E. SPEIGHT,  
Secretary.

### UNFINISHED BUSINESS

RE: H. 605.

The motion of Mr. Roberts to have the House direct the Committee on Public Welfare to report the bill, H. 605, to the House for consideration, was lost.

Yeas 41; Nays 42.

Yeas:

Messrs.  
Adams

Albea  
Bassett

Boyd  
Bradford

Brannan  
Brooks

Brown (Lamar)	Hardy	Lee (Barbour)	Oakley
Davis	Hodges	Lee (Lawrence)	Perry
DeSear	Holliman	Locke (Perry)	Reynolds
Dickson	Hunt	McLendon	Roberts
Franklin	Johnson (Elmore)	Molette	Speaks
Goodwyn	Kaul	Nettles	Summerlin
Grouby	Killough	Nice	Thomas
Hain	Kirkham	Nolen	Tyson
Haltom	Law		

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**Nays:**

Mr. Speaker	Gist	Martin	Selman
Brewer	Gregory	Mathison	Shumate
Broadfoot	Hall	Money	Simon
Brown (Lee)	Hanby	Murphy	Steagall
Callahan	Harrison	Oden	Stembridge
Dawkins	Jenkins	Payne	Stokes
Dement	Kelly	Pirkle	Taylor
Edwards (Jefferson)	Lackey	Pruitt	Vacca
Faulk	Locke (Choctaw)	Ramey	Ward
Ferrell	Love	Richardson	Wood
Gilchrist	McKay		

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**MESSAGE FROM THE SENATE****Mr. Speaker:**

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 234. To propose an amendment to the Constitution of Alabama relating to Lawrence County, and authorizing the creation of special school districts in said county, special school district taxes, the construction, improvement and equipping of school buildings in said special school districts, and the issuance of bonds therefor.

**Also:**

S. 248. Relating to St. Clair County; fixing the compensation of the chief deputy and the other deputies in the office of the sheriff of St. Clair County.

**Also:**

S. 249. Relating to St. Clair County; authorizing and directing the court of county commissioners, board of revenue, or like county governing body of St. Clair County to provide the circuit clerk of the county an allowance for clerk hire.

**Also:**

S. 250. For the relief of the widows of Dan Hubbard and H. F. Cole of Talladega County; authorizing and empowering the Court of County Commissioners, Board of Revenue or like governing body of Talladega County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of two thousand dollars (\$2,000.00) for the widow of Dan Hubbard and sum of two thousand dollars (\$2,000.00) for the widow of H. F. Cole as compensation for the death of their husbands, both of whom were killed in the line of duty while serving as deputy sheriffs of Talladega County.

J. E. SPEIGHT,  
Secretary.

## SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 57. Relative to appointment of committee to correlate results of biological study of effect of electrical devices on fishing in Alabama and to report its findings to next Regular Session of Legislature.

J. E. SPEIGHT,  
Secretary.

## SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

## RESOLUTION

The following resolution was introduced:

By Mr. Speaks:

H.J.R. 57. WHEREAS, Miss Patricia Huddleston of Clanton, Chilton County, Alabama, was on August 1, 1955, chosen as "Miss Alabama" in a statewide contest selecting the beauty and talent queen of Alabama; and

WHEREAS, this charming young damsel represents all that is beautiful and gracious of the womanhood of Alabama; and

WHEREAS, she is a true peach from the peach section of the state, representing Chilton County, the peach capitol of the world; and

WHEREAS, this Legislature wishes to congratulate her and extend to her its best wishes and invite her to visit with this legislature at her convenience.

NOW, THEREFORE BE IT RESOLVED by the House of Representatives, the Senate Concurring, that we do extend to this charming young Alabamian our most sincere congratulations upon her selection and we do extend to her our best wishes for her future success in the Miss America Contest to be held in Atlantic City.

BE IT FURTHER RESOLVED, that Miss Patricia Huddleston be invited by the Clerk of this House to visit with the Legislature at her convenience.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to Miss Huddleston and to the Press.

On motion of Mr. Speaks the rules were suspended and H.J.R. 57 was adopted.

## BILLS ON THIRD READING

The motion of Mr. Lackey to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 113, was adopted.

And the bill:

S. 113. To amend Section 313 of Title 2, Code of Alabama (1940), which relates to the adulteration of soda water or other soft drinks or beverages; authorizing and regulating the manufacture and sale of soda water or other soft drinks or beverages containing artificial or non-nutritive sweetening which are manufactured for special dietary use by persons requiring a sugar-free diet.

Was read a third time at length and passed.

Yeas 96; Nays 0.

## Yeas:

Mr. Speaker	Edwards (Jefferson)	Kaul	Nolen
Adams	Faulk	Kelly	Oakley
Albea	Ferrell	Kendall	Oden
Ashworth	Franklin	Killough	Payne
Bassett	Gilchrist	Kirkham	Perry
Boyd	Gist	Lackey	Pirkle
Bradford	Goodwyn	Law	Pruitt
Brannan	Gregory	Lee (Barbour)	Ramey
Branyon	Grouby	Lee (Lawrence)	Reynolds
Brassell	Hall	Locke (Choctaw)	Richardson
Brewer	Haltom	Locke (Perry)	Roberts
Broadfoot	Hanby	Love	Selman
Brooks	Hardy	McClendon	Simon
Brown (Lamar)	Hare	McKay	Speaks
Brown (Lee)	Harrison	McLendon	Steagall
Burkhalter	Harvey	McNider	Stembridge
Callahan	Hawkins	Martin	Stokes
Davis	Hodges	Mathews	Summerlin
Dawkins	Holliman	Mathison	Thomas
deGraffenried	Huddleston	Meeks	Tyson
Dement	Hunt	Money	Vacca
DeSear	Jenkins	Murphy	Ward
Dickson	Johnson (Elmore)	Nettles	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Nice	Wood

—96

## MOTION ADOPTED

The motion of Mr. Brown (Lee) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 612, was adopted.

And the bill:

H. 612. To require the Board of Pardons and Paroles to restore civil and political rights to any person applying therefor who submits proof of good conduct for a period of not less than two years after termination of the sentence against him.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 2.

## Yeas:

Mr. Speaker	Adams	Albea	Ashworth
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Bassett	Ferrell	Johnson (Elmore)	Molette
Boyd	Franklin	Johnson (Tallapoosa)	Money
Bradford	Gilchrist	Kelly	Murphy
Brannan	Gist	Kendall	Nettles
Branyon	Goodwyn	Killough	Nolen
Brassell	Gregory	Kirkham	Oakley
Brewer	Grouby	Lackey	Payne
Brooks	Hain	Law	Pirkle
Brown (Lamar)	Hall	Lee (Barbour)	Pruitt
Brown (Lee)	Haltom	Lee (Lawrence)	Ramey
Burkhalter	Hanby	Locke (Choctaw)	Reynolds
Callahan	Hardy	Locke (Perry)	Simon
Davis	Hare	Love	Speaks
Dawkins	Harrison	McClendon	Steagall
deGraffenried	Harvey	McKay	Stembridge
Dement	Hodges	McLendon	Stokes
DeSear	Holliman	McNider	Thomas
Dickson	Huddleston	Martin	Ward
Edwards (Escambia)	Hunt	Mathews	Windle
Edwards (Jefferson)	Jenkins	Mathison	Wood
Faulk			

—85

Nays: Messrs. Kaul and Perry.

—2

## RESOLUTION

The following resolution was introduced:

By Mr. Davis:

H. J. R. 58.

BE IT RESOLVED by the House, the Senate concurring, that where-as the parking area designated to be reserved for House and Senate members, is once again being used by unauthorized personnel, and that use by unauthorized people is hindering the Legislature and Senate from getting to meetings on time,

BE IT THEREFORE RESOLVED that all members of the Legisla-ture be requested to display their metal signs provided for this purpose, and

BE IT RESOLVED that Mr. Peacock be instructed to prohibit any person parking in the area designated for Legislative parking, unless their car has the metal tag which was issued for that purpose.

The motion of Mr. Davis to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 58 was lost.

And said resolution H.J.R. 58 was read and referred to the Stand-ing Committee on Rules.

## NOTICE IN WRITING

Mr. Dawkins offered the following Notice in Writing:

That on the next legislative day a motion will be made to take H.B. 118 off the adverse calendar.

## MOTION TO ADJOURN LOST

The motion of Mr. Burkhalter to adjourn until Friday, August 5, 1955, at eleven o'clock A.M. was lost.

Yeas 42; Nays 45.

**Yeas:**

Messrs.	Faulk	Kaul	Pruitt
Adams	Franklin	Lee (Barbour)	Reynolds
Albea	Gilchrist	Locke (Choctaw)	Selman
Ashworth	Hain	McKay	Shumate
Bassett	Hanby	McLendon	Simon
Boyd	Hardy	Mathews	Steagall
Burkhalter	Harvey	Mathison	Stembridge
Callahan	Hawkins	Meeks	Thomas
DeSear	Hodges	Payne	Tyson
Edwards (Escambia)	Jenkins	Perry	Vacca
Edwards (Jefferson)	Johnson (Tallapoosa)	Pirkle	

—42

**Nays:**

Mr. Speaker	Gist	Johnson (Elmore)	Murphy
Bradford	Goodwyn	Kelly	Nettles
Brannan	Gregory	Kendall	Nice
Branyon	Grouby	Killough	Nolen
Brassell	Hall	Kirkham	Oakley
Brewer	Halton	Lee (Lawrence)	Oden
Broadfoot	Hare	Love	Ramey
Brown (Lamar)	Harrison	McClendon	Richardson
Davis	Holliman	McNider	Speaks
Dawkins	Huddleston	Martin	Ward
deGraffenried	Hunt	Money	Wood
Dement			

—45

**POINT OF PERSONAL PRIVILEGE**

Mr. Hare requested as a matter of personal privilege that the Journal show that he had to attend a conference at the Headquarters of the Strategic Air Command and was absent when the school tax measures were passed by the House of Representatives. He requested that the Journal show that had he been present he would have voted "aye" on H.B. 587, H.B. 273, H.B. 87 and H.B. 683.

And it was so ordered.

**BILLS ON THIRD READING RESUMED**

H. 787. Authorizing state banks situated in counties having a population of not less than 225,000 nor more than 400,000 inhabitants according to the last or subsequent federal decennial census, to establish, maintain and operate branch banks, branch offices, or other places of business within such county in which the principal place of business of the bank is situated, by and with the approval of the superintendent of banks.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

**Yeas:**

Mr. Speaker	Ashworth	Bradford	Brassell
Adams	Bassett	Brannan	Brewer
Albea	Boyd	Branyon	Broadfoot



Brown (Lamar)	Hanby	Lee (Lawrence)	Perry
Burkhalter	Hare	Locke (Choctaw)	Pruitt
Callahan	Harrison	Locke (Perry)	Ramey
Davis	Harvey	Love	Reynolds
Dawkins	Hawkins	McKay	Selman
deGraffenried	Hodges	McLendon	Shumate
Dement	Holliman	McNider	Simon
DeSear	Huddleston	Martin	Speaks
Edwards (Escambia)	Hunt	Mathews	Steagall
Edwards (Jefferson)	Jenkins	Mathison	Stembridge
Faulk	Johnson (Elmore)	Meeks	Stokes
Ferrell	Johnson (Tallapoosa)	Murphy	Summerlin
Franklin	Kelly	Nettles	Thomas
Gilchrist	Kendall	Nice	Tyson
Gist	Killough	Nolen	Vacca
Gregory	Kirkham	Oakley	Ward
Grouby	Lackey	Oden	Windle
Hall	Lee (Barbour)	Payne	Wood
Haltom			

—85

And the bill:

H. 774. To make an appropriation for the restoration of the interior of the building located in Greensboro, Alabama, which formerly housed the now extinct Southern University, and to create a committee to administer the appropriation under the supervision and control of the Governor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 1.

**Yeas:**

Mr. Speaker	Faulk	Killough	Payne
Adams	Ferrell	Kirkham	Pruitt
Albea	Franklin	Lackey	Ramey
Ashworth	Gilchrist	Lee (Barbour)	Reynolds
Bassett	Gist	Lee (Lawrence)	Richardson
Boyd	Goodwyn	Locke (Choctaw)	Roberts
Bradford	Gregory	Locke (Perry)	Selman
Brannan	Grouby	McClendon	Shumate
Branyon	Hain	McKay	Simon
Brassell	Hall	McLendon	Speaks
Brewer	Haltom	McNider	Steagall
Broadfoot	Hardy	Martin	Stembridge
Brown (Lamar)	Hare	Mathison	Stokes
Burkhalter	Harvey	Meeks	Summerlin
Callahan	Hawkins	Money	Thomas
Davis	Holliman	Murphy	Tyson
deGraffenried	Hunt	Nettles	Vacca
Dement	Jenkins	Nice	Ward
DeSear	Johnson (Elmore)	Nolen	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Oakley	Wood
Edwards (Jefferson)	Kendall	Oden	

—83

Nays: Mr. Kelly.

—1

And the bill:

H. 763. To amend further Act No. 445, H. 858, approved September 23, 1947 (Local Acts of 1947, p. 303), which established the Court of Common Pleas of Autauga County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Ferrell	Kelly	Oakley
Adams	Franklin	Kendall	Oden
Albea	Gilchrist	Killough	Payne
Ashworth	Gist	Kirkham	Pirkle
Bassett	Goodwyn	Lackey	Pruitt
Boyd	Gregory	Law	Ramey
Bradford	Grouby	Lee (Barbour)	Reynolds
Brannan	Hain	Lee (Lawrence)	Richardson
Branyon	Hall	Locke (Choctaw)	Roberts
Brassell	Haltom	Locke (Perry)	Selman
Brewer	Hanby	Love	Shumate
Brown (Lamar)	Hardy	McClendon	Simon
Brown (Lee)	Hare	McKay	Speaks
Burkhalter	Harrison	McLendon	Steagall
Callahan	Harvey	McNider	Stembridge
Davis	Hawkins	Martin	Stokes
deGraffenried	Hodges	Mathews	Summerlin
Dement	Holliman	Mathison	Thomas
DeSear	Huddleston	Meeks	Tyson
Dickson	Hunt	Money	Vacca
Edwards (Escambia)	Jenkins	Murphy	Ward
Edwards (Jefferson)	Johnson (Elmore)	Nettles	Windle
Faulk	Johnson (Tallapoosa)	Nolen	Wood

—92

And the bill:

H. 770. Relating to Colbert County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Burkhalter	Gist	Hodges
Adams	Callahan	Goodwyn	Holliman
Albea	Davis	Gregory	Huddleston
Ashworth	deGraffenried	Grouby	Hunt
Bassett	Dement	Hain	Jenkins
Boyd	DeSear	Hall	Johnson (Elmore)
Bradford	Dickson	Haltom	Johnson (Tallapoosa)
Brannan	Edwards (Escambia)	Hanby	Kelly
Branyon	Edwards (Jefferson)	Hardy	Kendall
Brassell	Faulk	Hare	Killough
Brewer	Ferrell	Harrison	Kirkham
Brown (Lamar)	Franklin	Harvey	Lackey
Brown (Lee)	Gilchrist	Hawkins	Law

Lee (Barbour)	Mathews	Pirkle	Steagall
Lee (Lawrence)	Mathison	Pruitt	Stembridge
Locke (Choctaw)	Meeks	Ramey	Stokes
Locke (Perry)	Money	Reynolds	Summerlin
Love	Murphy	Richardson	Thomas
McClendon	Nettles	Roberts	Tyson
McKay	Nolen	Selman	Vacca
McLendon	Oakley	Shumate	Ward
McNider	Oden	Simon	Windle
Martin	Payne	Speaks	Wood

—92

And the bill:

H. 771. Proposing an amendment of the Constitution of Alabama, as amended, relating to the powers of municipalities in Fayette County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Ferrell	Kelly	Oakley
Adams	Franklin	Kendall	Oden
Albea	Gilchrist	Killough	Payne
Ashworth	Gist	Kirkham	Pirkle
Bassett	Goodwyn	Lackey	Pruitt
Boyd	Gregory	Law	Ramey
Bradford	Grouby	Lee (Barbour)	Reynolds
Brannan	Hain	Lee (Lawrence)	Richardson
Branyon	Hall	Locke (Choctaw)	Roberts
Brassell	Haltom	Locke (Perry)	Selman
Brewer	Hanby	Love	Shumate
Brown (Lamar)	Hardy	McClendon	Simon
Brown (Lee)	Hare	McKay	Speaks
Burkhalter	Harrison	McLendon	Steagall
Callahan	Harvey	McNider	Stembridge
Davis	Hawkins	Martin	Stokes
deGraffenried	Hodges	Mathews	Summerlin
Dement	Holliman	Mathison	Thomas
DeSear	Huddleston	Meeks	Tyson
Dickson	Hunt	Money	Vacca
Edwards (Escambia)	Jenkins	Murphy	Ward
Edwards (Jefferson)	Johnson (Elmore)	Nettles	Windle
Faulk	Johnson (Tallapoosa)	Nolen	Wood

—92

And the bill:

H. 776. To designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Branyon	Grouby	Lackey	Payne
Brassell	Hain	Law	Pirkle
Brewer	Hall	Lee (Barbour)	Pruitt
Brown (Lamar)	Haltom	Lee (Lawrence)	Ramey
Brown (Lee)	Hanby	Locke (Choctaw)	Reynolds
Burkhalter	Hardy	Locke (Perry)	Richardson
Callahan	Hare	Love	Roberts
Davis	Harrison	McClendon	Selman
deGraffenried	Harvey	McKay	Shumate
Dement	Hawkins	McLendon	Simon
DeSear	Hodges	McNider	Speaks
Dickson	Holliman	Martin	Steagall
Edwards (Escambia)	Huddleston	Mathews	Stembridge
Edwards (Jefferson)	Hunt	Mathison	Stokes
Faulk	Jenkins	Meeks	Summerlin
Ferrell	Johnson (Elmore)	Money	Thomas
Franklin	Johnson (Tallapoosa)	Murphy	Tyson
Gilchrist	Kelly	Nettles	Vacca
Gist	Kendall	Nolen	Ward
Goodwyn	Killough	Oakley	Windle
Gregory	Kirkham	Oden	Wood

—92

And the bill:

H. 785. To propose an amendment to the Constitution of Alabama, relative to the imposition of an additional county tax on taxable property in Limestone County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

#### Yeas:

Mr. Speaker	Ferrell	Kelly	Oakley
Adams	Franklin	Kendall	Oden
Albea	Gilchrist	Killough	Payne
Ashworth	Gist	Kirkham	Pirkle
Bassett	Goodwyn	Lackey	Pruitt
Boyd	Gregory	Law	Ramey
Bradford	Grouby	Lee (Barbour)	Reynolds
Brannan	Hain	Lee (Lawrence)	Richardson
Branyon	Hall	Locke (Choctaw)	Roberts
Brassell	Haltom	Locke (Perry)	Selman
Brewer	Hanby	Love	Shumate
Brown (Lamar)	Hardy	McClendon	Simon
Brown (Lee)	Hare	McKay	Speaks
Burkhalter	Harrison	McLendon	Steagall
Callahan	Harvey	McNider	Stembridge
Davis	Hawkins	Martin	Stokes
deGraffenried	Hodges	Mathews	Summerlin
Dement	Holliman	Mathison	Thomas
DeSear	Huddleston	Meeks	Tyson
Dickson	Hunt	Money	Vacca
Edwards (Escambia)	Jenkins	Murphy	Ward
Edwards (Jefferson)	Johnson (Elmore)	Nettles	Windle
Faulk	Johnson (Tallapoosa)	Nolen	Wood

—92

And the bill:

H. 795. To alter, rearrange, and extend the boundary line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Ferrell	Kelly	Oakley
Adams	Franklin	Kendall	Oden
Albea	Gilchrist	Killough	Payne
Ashworth	Gist	Kirkham	Pirkle
Bassett	Goodwyn	Lackey	Pruitt
Boyd	Gregory	Law	Ramey
Bradford	Grouby	Lee (Barbour)	Reynolds
Brannan	Hain	Lee (Lawrence)	Richardson
Branyon	Hall	Locke (Choctaw)	Roberts
Brassell	Haltom	Locke (Perry)	Selman
Brewer	Hanby	Love	Shumate
Brown (Lamar)	Hardy	McClendon	Simon
Brown (Lee)	Hare	McKay	Speaks
Burkhalter	Harrison	McLendon	Steagall
Callahan	Harvey	McNider	Stembridge
Davis	Hawkins	Martin	Stokes
deGraffenried	Hodges	Mathews	Summerlin
Dement	Holliman	Mathison	Thomas
DeSear	Huddleston	Meeks	Tyson
Dickson	Hunt	Money	Vacca
Edwards (Escambia)	Jenkins	Murphy	Ward
Edwards (Jefferson)	Johnson (Elmore)	Nettles	Windle
Faulk	Johnson (Tallapoosa)	Nolen	Wood

—92

And the bill:

H. 783. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special ad valorem tax for public school purposes in the City of Auburn.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Davis	Hain	Johnson (Tallapoosa)
Adams	deGraffenried	Hall	Kelly
Albea	Dement	Haltom	Kendall
Ashworth	DeSear	Hanby	Killough
Bassett	Dickson	Hardy	Kirkham
Boyd	Edwards (Escambia)	Hare	Lackey
Bradford	Edwards (Jefferson)	Harrison	Law
Erannan	Faulk	Harvey	Lee (Barbour)
Branyon	Ferrell	Hawkins	Lee (Lawrence)
Brassell	Franklin	Hodges	Locke (Choctaw)
Brewer	Gilchrist	Holliman	Locke (Perry)
Brown (Lamar)	Gist	Huddleston	Love
Brown (Lee)	Goodwyn	Hunt	McClendon
Burkhalter	Gregory	Jenkins	McKay
Callahan	Grouby	Johnson (Elmore)	McLendon

McNider	Nolen	Richardson	Stokes
Martin	Oakley	Roberts	Summerlin
Mathews	Oden	Selman	Thomas
Mathison	Payne	Shumate	Tyson
Meeks	Pirkle	Simon	Vacca
Money	Pruitt	Speaks	Ward
Murphy	Ramey	Steagall	Windle
Nettles	Reynolds	Stembridge	Wood

—92

And the bill:

H. 796. To apply only in those Counties having a population of not less than 94,000 nor more than 134,000, according to the latest or any subsequent Federal Decennial Census and to provide further for the disposition of the proceeds of the sale of contraband or forfeited property and the distribution and disposition of the funds realized from such sales.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Ferrell	Kelly	Oakley
Adams	Franklin	Kendall	Oden
Albea	Gilchrist	Killough	Payne
Ashworth	Gist	Kirkham	Pirkle
Bassett	Goodwyn	Lackey	Pruitt
Boyd	Gregory	Law	Ramey
Bradford	Grouby	Lee (Barbour)	Reynolds
Brannan	Hain	Lee (Lawrence)	Richardson
Branyon	Hall	Locke (Choctaw)	Roberts
Brassell	Haltom	Locke (Perry)	Selman
Brewer	Hanby	Love	Shumate
Brown (Lamar)	Hardy	McClendon	Simon
Brown (Lee)	Hare	McKay	Speaks
Burkhalter	Harrison	McLendon	Steagall
Callahan	Harvey	McNider	Stembridge
Davis	Hawkins	Martin	Stokes
deGraffenried	Hodges	Mathews	Summerlin
Dement	Holliman	Mathison	Thomas
DeSear	Huddleston	Meeks	Tyson
Dickson	Hunt	Money	Vacca
Edwards (Escambia)	Jenkins	Murphy	Ward
Edwards (Jefferson)	Johnson (Elmore)	Nettles	Windle
Faulk	Johnson (Tallapoosa)	Nolen	Wood

—92

And the bill:

H. 798. To apply in all counties having a population of not less than 63,500 nor more than 72,500 inhabitants, according to the last or any subsequent federal decennial census: Fixing the compensation of jury commissioners in all such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Branyon	Grouby	Lackey	Payne
Brassell	Hain	Law	Pirkle
Brewer	Hall	Lee (Barbour)	Pruitt
Brown (Lamar)	Haltom	Lee (Lawrence)	Ramey
Brown (Lee)	Hanby	Locke (Choctaw)	Reynolds
Burkhalter	Hardy	Locke (Perry)	Richardson
Callahan	Hare	Love	Roberts
Davis	Harrison	McClendon	Selman
deGraffenried	Harvey	McKay	Shumate
Dement	Hawkins	McLendon	Simon
DeSear	Hodges	McNider	Speaks
Dickson	Holliman	Martin	Steagall
Edwards (Escambia)	Huddleston	Mathews	Stembridge
Edwards (Jefferson)	Hunt	Mathison	Stokes
Faulk	Jenkins	Meeks	Summerlin
Ferrell	Johnson (Elmore)	Money	Thomas
Franklin	Johnson (Tallapoosa)	Murphy	Tyson
Gilchrist	Kelly	Nettles	Vacca
Gist	Kendall	Nolen	Ward
Goodwyn	Killough	Oakley	Windle
Gregory	Kirkham	Oden	Wood

—92

And the bill:

H. 799. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

#### Yeas:

Mr. Speaker	Ferrell	Kelly	Oakley
Adams	Franklin	Kendall	Oden
Albea	Gilchrist	Killough	Payne
Ashworth	Gist	Kirkham	Pirkle
Bassett	Goodwyn	Lackey	Pruitt
Boyd	Gregory	Law	Ramey
Bradford	Grouby	Lee (Barbour)	Reynolds
Brannan	Hain	Lee (Lawrence)	Richardson
Branyon	Hall	Locke (Choctaw)	Roberts
Brassell	Haltom	Locke (Perry)	Selman
Brewer	Hanby	Love	Shumate
Brown (Lamar)	Hardy	McClendon	Simon
Brown (Lee)	Hare	McKay	Speaks
Burkhalter	Harrison	McLendon	Steagall
Callahan	Harvey	McNider	Stembridge
Davis	Hawkins	Martin	Stokes
deGraffenried	Hodges	Mathews	Summerlin
Dement	Holliman	Mathison	Thomas
DeSear	Huddleston	Meeks	Tyson
Dickson	Hunt	Money	Vacca
Edwards (Escambia)	Jenkins	Murphy	Ward
Edwards (Jefferson)	Johnson (Elmore)	Nettles	Windle
Faulk	Johnson (Tallapoosa)	Nolen	Wood

—92

And the bill:

H. 782. Proposing an amendment to the Constitution of Alabama relative to the filling of vacancies in the office of judge of the circuit court in Jefferson County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

**Yeas:**

Mr. Speaker	Franklin	Kendall	Oakley
Adams	Gilchrist	Killough	Oden
Albea	Gist	Kirkham	Payne
Ashworth	Goodwyn	Lackey	Pirkle
Bassett	Gregory	Law	Pruitt
Boyd	Grouby	Lee (Barbour)	Ramey
Bradford	Hain	Lee (Lawrence)	Reynolds
Brannan	Hall	Locke (Choctaw)	Richardson
Branyon	Haltom	Locke (Perry)	Roberts
Brassell	Hanby	Love	Selman
Brewer	Hardy	McClendon	Shumate
Brown (Lamar)	Hare	McKay	Simon
Brown (Lee)	Harrison	McLendon	Speaks
Burkhalter	Harvey	McNider	Steagall
Callahan	Hawkins	Martin	Stembridge
Davis	Hodges	Mathews	Stokes
deGraffenried	Holliman	Mathison	Summerlin
Dement	Huddleston	Meeks	Thomas
DeSear	Hunt	Money	Tyson
Dickson	Jenkins	Murphy	Vacca
Edwards (Escambia)	Johnson (Elmore)	Nettles	Ward
Edwards (Jefferson)	Johnson (Tallapoosa)	Nice	Windle
Faulk	Kaul	Nolen	Wood
Ferrell	Kelly		

—94

**And the bill:**

H. 777. To provide for the relief of Evelyn Louise Brewer, out of the General Funds of Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

**Yeas:**

Mr. Speaker	Callahan	Gregory	Hunt
Adams	Davis	Grouby	Jenkins
Albea	deGraffenried	Hain	Johnson (Elmore)
Ashworth	Dement	Hall	Johnson (Tallapoosa)
Bassett	DeSear	Haltom	Kaul
Boyd	Dickson	Hanby	Kelly
Bradford	Edwards (Escambia)	Hardy	Kendall
Brannan	Edwards (Jefferson)	Hare	Killough
Branyon	Faulk	Harrison	Kirkham
Brassell	Ferrell	Harvey	Lackey
Brewer	Franklin	Hawkins	Law
Brown (Lamar)	Gilchrist	Hodges	Lee (Barbour)
Brown (Lee)	Gist	Holliman	Lee (Lawrence)
Burkhalter	Goodwyn	Huddleston	Locke (Choctaw)



Locke (Perry)	Money	Ramey	Stembridge
Love	Murphy	Reynolds	Stokes
McClendon	Nettles	Richardson	Summerlin
McKay	Nice	Roberts	Thomas
McLendon	Nolen	Selman	Tyson
McNider	Oakley	Shumate	Vacca
Martin	Oden	Simon	Ward
Mathews	Payne	Speaks	Windle
Mathison	Pirkle	Steagall	Wood
Meeks	Pruitt		

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## MOTION ADOPTED

The motion of Mr. Goodwyn to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 579, was adopted.

And the bill:

H. 579. To amend Section 214 of Title 26, Code of Alabama 1940, as amended, the same relating to disqualification for unemployment compensation benefits.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 1.

## Yeas:

Mr. Speaker	Edwards (Escambia)	Huddleston	Money
Albea	Edwards (Jefferson)	Hunt	Murphy
Ashworth	Faulk	Jenkins	Nettles
Bassett	Ferrell	Johnson (Elmore)	Nice
Boyd	Franklin	Kaul	Nolen
Bradford	Gilchrist	Kendall	Oakley
Brannan	Gist	Kirkham	Payne
Branyon	Goodwyn	Lackey	Perry
Brassell	Gregory	Law	Reynolds
Brewer	Grouby	Lee (Barbour)	Selman
Broadfoot	Hain	Lee (Lawrence)	Shumate
Brown (Lee)	Hall	Locke (Choctaw)	Simon
Burkhalter	Haltom	Locke (Perry)	Speaks
Callahan	Hanby	Love	Steagall
Davis	Hardy	McClendon	Stembridge
Dawkins	Harrison	McKay	Summerlin
deGraffenried	Harvey	McLendon	Tyson
Dement	Hawkins	Martin	Vacca
DeSear	Hodges	Meeks	Wood
Dickson	Holliman		

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Nays: Mr. Windle.

—1

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration: By the Rules Committee:

S.J.R. 58. RESOLVED by the Senate, the House concurring, that

when the two Houses adjourn today, they adjourn to meet again on Friday, August 5th, 1955.

J. E. SPEIGHT,  
Secretary.

### SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 58 set out in the above and foregoing Message from the Senate.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 57. Congratulating Miss Patricia Huddleston, of Clanton, for being chosen "Miss Alabama," and extending best wishes for her future success in "Miss America" contest.

J. E. SPEIGHT,  
Secretary.

### MOTION TO ADJOURN LOST

The motion of Mr. Johnson (Tallapoosa) to adjourn until Friday, August 5, 1955, at eleven o'clock A.M. was lost.

Yeas 39; Nays 47.

#### Yeas:

Messrs.	Ferrell	Johnson (Mimore)	McNider
Adams	Franklin	Johnson (Tallapoosa)	Mathison
Albea	Grouby	Killough	Nettles
Ashworth	Hain	Kirkham	Oakley
Bradford	Hardy	Lackey	Pirkle
Burkhalter	Harvey	Law	Selman
DeSear	Hawkins	Lee (Barbour)	Stembridge
Dickson	Hodges	Locke (Choctaw)	Stokes
Edwards (Jefferson)	Holliman	Locke (Perry)	Thomas
Faulk	Jenkins	McClendon	Windle

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#### Nays:

Mr. Speaker	Dawkins	Kaul	Payne
Bassett	deGraffenried	Kendall	Perry
Boyd	Dement	Lee (Lawrence)	Reynolds
Brannan	Gilchrist	Love	Roberts
Branyon	Gist	McKay	Simon
Brassell	Goodwyn	Martin	Speaks
Brewer	Gregory	Meeks	Steagall
Broadfoot	Hall	Money	Summerlin
Brooks	Haltom	Murphy	Tyson
Brown (Lee)	Hanby	Nice	Vacca
Callahan	Harrison	Nolen	Wood
Davis	Hunt	Oden	

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### MOTION ADOPTED

The motion of Mr. Goodwyn to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 578, was adopted.

And the bill:

H. 578. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations on compensation under the workmen's compensation law.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 1.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Johnson (Elmore)	Nolen
Adams	Faulk	Johnson (Tallapoosa)	Oakley
Albea	Franklin	Kaul	Oden
Ashworth	Gilchrist	Kendall	Payne
Bassett	Gist	Kirkham	Perry
Boyd	Goodwyn	Lackey	Reynolds
Bradford	Gregory	Lee (Lawrence)	Richardson
Brannan	Grouby	Locke (Choctaw)	Roberts
Branyon	Hain	Love	Selman
Brassell	Hall	McClendon	Shumate
Brewer	Haltom	McKay	Simon
Broadfoot	Hanby	McNider	Speaks
Brooks	Hardy	Martin	Steagall
Brown (Lee)	Harrison	Mathison	Stembridge
Burkhalter	Harvey	Meeks	Summerlin
Callahan	Hawkins	Money	Thomas
Dawkins	Hodges	Murphy	Tyson
deGraffenried	Holliman	Nettles	Vacca
Dement	Hunt	Nice	Wood
Edwards (Escambia)	Jenkins		

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Nays: Mr. Windle.

—1

**CERTIFICATE OF CLERK**

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:20 P.M. On August 2, 1955

H. 30

H.J.R. 50

H. 33

H. 397

H. 473

H. 658

H. 687

H. 697

H. 698

H. 699

H. 701

Delivered to the Secretary of State at 12:25 P.M. On August 2, 1955

H. 648

Delivered to the Governor at 4:20 P.M. On August 2, 1955

H. 140

H. 456

H. 680

H. 702

H. 704

H. 729

H. 731

H. 735

H. 740

H. 657

H. 262

Delivered to the Secretary of State at 4:28 P.M. On August 2, 1955

H. 703

R. T. GOODWYN, JR.,  
Clerk.

## ADJOURNMENT

On motion of Mr. Payne the House adjourned until Friday, August 5, 1955 at ten o'clock A.M.

Yeas 45; Nays 42.

## Yeas:

Messrs.	Edwards (Escambia)	Kirkham	Payne
Ashworth	Faulk	Lee (Lawrence)	Reynolds
Boyd	Ferrell	Locke (Choctaw)	Richardson
Bradford	Franklin	Locke (Perry)	Selman
Brannan	Gilchrist	Love	Shumate
Branyon	Gregory	McKay	Simon
Brassell	Grouby	McNider	Stembridge
Brooks	Harvey	Mathison	Stokes
Burkhalter	Holliman	Murphy	Summerlin
Davis	Jenkins	Nettles	Tyson
DeSear	Johnson (Elmore)	Oden	Windle
Dickson	Killough		

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## Nays:

Mr. Speaker	Gist	Hunt	Nice
Adams	Goodwyn	Johnson (Tallapoosa)	Nolen
Albea	Hain	Kaul	Oakley
Brewer	Hall	Kendall	Perry
Broadfoot	Haltom	Lackey	Pirkle
Brown (Lee)	Hanby	Lee (Barbour)	Speaks
Callahan	Hardy	McClendon	Steagall
Dawkins	Harrison	Martin	Thomas
deGraffenried	Hawkins	Meeks	Vacca
Dement	Hodges	Money	Wood
Edwards (Jefferson)	Huddleston		

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## TWENTY-EIGHTH DAY

House of Representatives  
Montgomery, Alabama  
Friday, August 5, 1955

The House met pursuant to adjournment.

## PRAYER

The session was opened with prayer by Dr. Henry Edward Russell, Minister, Trinity Presbyterian Church, Montgomery, Alabama.

## ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Jefferson)	Kaul	Oden
Adams	Faulk	Kelly	Payne
Albea	Ferrell	Kendall	Perry
Ashworth	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Pruitt
Boyd	Gist	Lackey	Ramey
Bradford	Goodwyn	Law	Reynolds
Brannan	Gregory	Lee (Barbour)	Richardson
Branyon	Grouby	Lee (Lawrence)	Roberts
Brassell	Hain	Locke (Choctaw)	Selman
Brewer	Hall	Locke (Perry)	Shumate
Broadfoot	Haltom	Love	Simon
Brooks	Hanby	McClendon	Solomon
Brown (Lamar)	Hardy	McKay	Speaks
Brown (Lee)	Hare	McLendon	Steagall
Burkhalter	Harrison	McNider	Stembridge
Callahan	Harvey	Martin	Stokes
Cox	Hawkins	Mathews	Summerlin
Crook	Hodges	Mathison	Taylor
Davis	Holliman	Meeks	Thomas
Dawkins	Huddleston	Molette	Tyson
deGraffenried	Hunt	Murphy	Vacca
Dement	Jenkins	Nettles	Ward
DeSear	Johnson (Elmore)	Nice	Windle
Dickson	Johnson (Tallapoosa)	Oakley	Wood
Edwards (Escambia)			

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A quorum was present.

## H. 800 AND H. 801 INDEFINITELY POSTPONED

On motion of Mr. Oden, the bills, H. 800 and H. 801, were indefinitely postponed.

## REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-seventh legislative day and finds the same to be correct.

RANKIN FITE,  
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the twenty-seventh legislative day was dispensed with

and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the twenty-seventh legislative day was approved.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 113. To amend Section 313 of Title 2, Code of Alabama (1940), which relates to the adulteration of soda water or other soft drinks or beverages; authorizing and regulating the manufacture and sale of soda water of other soft drinks or beverages containing artificial or non-nutritive sweetening which are manufactured for special dietary use by persons requiring a sugar-free diet.

J. E. SPEIGHT,  
Secretary.

#### SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Vann:

S. J. R. 61. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that Senate Bill 95, which has passed both Houses be named the Vann and Harrison Bill.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Harrison the rules were suspended and the House concurred in and adopted the S. J. R. 61 set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Robison:

S. J. R. 60. WHEREAS, the 1953 Legislature provided that members of the Employees' Retirement System would be allowed to become covered under the Old Age and Survivors Insurance plan of Social Security in addition to their 3½% retirement plan if permitted by Congressional Acts, and

WHEREAS, in 1954 Congress did amend the Social Security Acts to allow this dual coverage for all members of the Employees' Re-

tirement System except employees classified as State Policemen, viz; Highway Patrol, Criminal Investigators and ABC Board Investigators, and

WHEREAS, State Employees other than State Policemen have now become covered under the dual plan of insurance and retirement; Now, Therefore:

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that

The Secretary-Treasurer of the Employees' Retirement System is directed to work with the State Policemen Retirement Committee, the Director of Public Safety, the ABC Board Administrator and with the Actuary employed by the System to develop proposed legislation for the 1957 Legislature that will improve the benefits from the Retirement System for State Policemen to eliminate the present discrimination in favor of those employees who have the dual plan, and

BE IT FURTHER RESOLVED, that

The Secretary-Treasurer is instructed to have the Actuary draw necessary bills and develop cost estimates of proposed coverage plan for cost of joint participation by both the State Policemen and the State fund from which these policemen are paid.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S. J. R. 60 set out in the above and foregoing Message from the Senate.

#### RESIGNATION REFUSED

Mr. Mathews offered his resignation from the Standing Committee on Judiciary.

Mr. Dawkins moved that the House refuse to accept the resignation of Mr. Mathews, and the motion was adopted.

#### REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report:

By Mr. Bradford:

S. J. R. 44. Whereas there has been introduced in the Legislature a number of bills which would create barriers to the free flow of commerce and trade between the State of Alabama and our neighboring states; and

Whereas it stands to reason that the states which suffer from such discriminatory action by the State of Alabama will resort to the enactment of retaliatory legislation in protest against interference with the free flow of their products into the State of Alabama; and

Whereas the further erection of such trade barriers among Alabama and her neighboring states would be detrimental to the greater economic development and prosperity which might be achieved through an uninterrupted flow of trade from state to state; now therefore

Be it Resolved by the Senate of Alabama, the House of Representatives Concurring: That the Legislature refuse to consider any further legislation erecting interstate trade barriers; and that if a question of health is involved in any matter, standards providing for the mutual protection of the citizens of Alabama and of the other states concerned be worked out by agreement among such states, so as to promote an absolutely free flow of trade among these United States.

Be it further resolved, that the State Commission on Interstate Cooperation be urged to do all within its power to cooperate with other states in seeking means to repeal existing trade barriers and to prevent the erection of future barriers, all toward the development of the mutual economic advantage which may be derived from the free flow of commerce and trade between Alabama and her neighboring states.

And S. J. R. 44 was concurred in and adopted.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 57. Relative to the Legislature congratulating Miss Patricia Huddleston of Clanton, on being selected "Miss Alabama".

And find same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee:

H. R. 59. BE IT RESOLVED BY THE HOUSE that the following bills in the order named be made special, paramount and continuing order of business for today, taking precedence over bills now on Special Order:

1. H. B. No. 193	Page 4	9. H. B. No. 571	Page 7
2. H. B. No. 577	Page 5	10. H. B. No. 570	Page 8
3. H. B. No. 576	Page 5	11. H. B. No. 569	Page 8
4. H. B. No. 452	Page 6	12. H. B. No. 568	Page 8
5. H. B. No. 575	Page 3	13. H. B. No. 675	Page 49
6. H. B. No. 574	Page 6	14. H. B. No. 724	Page 48
7. H. B. No. 573	Page 7	15. H. B. No. 339	Page 64
8. H. B. No. 572	Page 7	16. H. B. No. 728	Page 55



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17. H. B. No. 690	Page 54	52. H. B. No. 320	Page 36
18. H. B. No. 688	Page 66	53. H. B. No. 314	Page 16
19. S. B. No. 33	Page 22	54. H. B. No. 638	Page 43
20. H. B. No. 433	Page 38	55. H. B. No. 643	Page 45
21. H. B. No. 178	Page 12	56. H. B. No. 639	Page 43
22. H. B. No. 348	Page 13	57. H. B. No. 323	Page 29
23. H. B. No. 347	Page 14	58. H. B. No. 317	Page 18
24. H. B. No. 194	Page 16	59. H. B. No. 315	Page 17
25. H. B. No. 179	Page 14	60. H. B. No. 311	Page 29
26. H. B. No. 192	Page 37	61. H. B. No. 312	Page 29
27. S. B. No. 193	Page 66	62. H. B. No. 496	Page 29
28. S. B. No. 231	Page 65	63. H. B. No. 321	Page 19
29. H. B. No. 96	Page 26	64. H. B. No. 640	Page 44
30. H. B. No. 726	Page 60	65. H. B. No. 327	Page 20
31. H. B. No. 676	Page 42	66. H. B. No. 322	Page 19
32. H. B. No. 166	Page 57	67. H. B. No. 331	Page 32
33. S. B. No. 117	Page 21	68. H. B. No. 324	Page 19
34. S. B. No. 105	Page 51	69. H. B. No. 339	Page 64
35. S. B. No. 104	Page 51	70. H. B. No. 43	Page 57
36. H. B. No. 611	Page 40	71. S. B. No. 106	Page 64
37. H. B. No. 610	Page 41	72. H. B. No. 794	Page 55
38. H. B. No. 417	Page 23	73. H. B. No. 427	Page 25
39. H. B. No. 442	Page 25	74. H. B. No. 334	Page 58
40. H. B. No. 307	Page 24	75. H. B. No. 431	Page 54
41. H. B. No. 326	Page 20	76. S. B. No. 127	Page 48
42. H. B. No. 306	Page 34	77. H. B. No. 245	Page 33
43. H. B. No. 318	Page 19	78. H. B. No. 806	Page 55
44. H. B. No. 316	Page 18	79. S. B. No. 35	Page 63
45. H. B. No. 329	Page 30	80. H. B. No. 663	Page 58
46. H. B. No. 494	Page 36	81. H. B. No. 793	Page 54
47. H. B. No. 495	Page 39	82. H. B. No. 592	Page 57
48. H. B. No. 305	Page 34	83. H. B. No. 479	Page 27
49. H. B. No. 325	Page 19	84. H. B. No. 478	Page 27
50. H. B. No. 328	Page 20	85. H. B. No. 459	Page 27
51. H. B. No. 330	Page 31	86. H. B. No. 458	Page 28

87. H. B. No. 460	Page 28	91. S. B. No. 83	Page 26
88. H. B. No. 461	Page 28	92. H. B. No. 767	Page 63
89. H. B. No. 615	Page 38	93. H. B. No. 768	Page 54
90. H. B. No. 649	Page 36		

And H. R. 59 was adopted.

### BILLS ON SECOND READING

Mr. Fite Chairman of the Standing Committee on Rules reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 595. To protect the interest of the public with respect to Insurance Agents, Solicitors and Brokers: To regulate the conduct of the business of Insurance Agents, Solicitors and Brokers: To provide for the powers and duties of the Superintendent of Insurance with respect thereto: To provide for the examining and licensing of Insurance Agents, Solicitors and Brokers: To provide for the administration of this Act: To provide for the denial, revocation or suspension of licenses under this Act: To provide for penalties for the violation of any provision of this Act: To provide for judicial review of the Acts of the Superintendent of Insurance with respect to the administration of the provisions of this Act: To repeal all laws or parts of laws in conflict therewith.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 53. Relating to the election of the municipal governing body in any city, governed by a mayor and council and having a population of not less than 6,125 nor more than 6,725 inhabitants, in which the qualified voters approve the adoption of the provisions of this Act at a referendum election held pursuant to this Act.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 149 (with amendment). Relating to motor vehicles: To require the owner of any truck operated on the highways of this State to have painted on the truck, or firmly affixed thereto, his name and address and some word or phrase indicating the business in which the truck is used; authorizing the Director of Public Safety to promulgate rules and regulations relative to such marking, and prescribing a penalty for the operation of a truck in violation of this Act.

H. 150 (with amendment). Requiring mud guards or safety flaps on motor trucks, road tractors, trailers or semi-trailers having four or more tires on the rear axle thereof and providing a penalty for the operation of such vehicles without this equipment.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 512. To provide for the submission of civil suits filed at law for judgment on the pleadings; to define pleadings as used herein; to allow the Court to fix a time-limit for filing of subsequent pleadings and to enter a judgment *nil dicit*, dismiss the suit, or impose terms for failure to do so; and also to deny further pleadings after the cause is at issue and placed on the trial docket except by permission of the Court on such terms as the Court may impose, but not to deny the filing of amended pleadings during the progress of the trial as provided by law.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 672 (with substitute). To amend Section 5 of Title 27 of the Code of Alabama of 1940, as heretofore amended so as to make provision for and to give and grant every legal right, privilege and obligation including the right of inheritance to real estate, and to the distribution of personal estate of an adopted child to the adopting parent or parents upon the death of such adopted child as if said child had been born to the adopting parents in lawful wedlock.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 797. To amend Section 211 of Title 46 of the 1940 Code of Alabama, and to repeal Section 210 of Title 46 of the 1940 Code of Alabama, all of said sections being relative to the practice of optometry; to repeal the law which authorizes the operation of an optometric department in a store or business establishment; to amend the law regulating advertising; to provide a rule for the construction of this act; to repeal conflicting laws and to set the effective date of this act.

H. 854. To make an additional appropriation to the Board of Registration for Professional Engineers and Land Surveyors for the Fiscal years ending September 30, 1956 and September 30, 1957.

H. 855. To regulate the practices of engineering and land surveying; providing for the registration of qualified persons as professional engineers and land surveyors, and providing for registration of Engineers-in-Training; defining the terms "Engineer," "Professional Engineer," "Engineer-in-Training," "Practice of Engineering," "Land Surveyor," "Practice of Land Surveying" and "Responsible Charge"; creating a State Board of Registration for Professional Engineers, Engineers-in-Training, and Land Surveyors, and providing for the appointment of its members; fixing the term of the Board and defining its powers and duties; setting forth the minimum qualifications and other requirements for registration; establishing fees with expiration and renewal requirements; imposing certain duties upon the state and political subdivisions thereof in connection with public work, and providing for the enforcement of this Act and penalties for its violation; and to repeal Sections 129 through 150 inclusive of Title 46, Chapter 7, Code of Alabama (1940), as amended.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable

report, (with substitute) (with amendments) and it was read a second time and placed on the Calendar, to-wit:

H. 788 (with substitute) (with amendments). To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 820. To amend Section 582 of Title 51, Code of Alabama (1940) which relates to the License fee for restaurants, cafes, cafeterias, etc.

H. 804. To amend Section 12 Title 51 Code of Alabama 1940 relating to Young Men's Christian Associations.

H. 857. To amend further Section 425 of Title 51, Code of Alabama (1940), as amended, which relates to the excise tax on financial institutions, so as to allow financial institutions to carry back their net operating losses to apply as a deduction against prior income, and to deduct from succeeding years' income the excess loss, if any, not absorbed thereby.

S. 25. To establish the Alabama Stonewall Jackson Memorial Fund; to set forth the purposes for which such fund is to be established; to set up a board of trustees to administer the fund; to make an appropriation of twenty thousand dollars (\$20,000.00) to said fund.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 172 (with substitute). To amend Sections 47 (5) and (8), Title 28, Code of Alabama 1940, as amended by Act No. 234, General Acts, 1951, Page 505.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 816. To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. 1, p. 167).

H. 867. To make an appropriation for the use of the Agricultural Center Board in the purchase of certain equipment.

S. 22. To repeal Section 555 of Title 51, Code of Alabama (1940), which levies a privilege tax on the operation of a coal mine.

H. 189. To amend Section 191, Title 51, Code of Alabama (1940), relating to the compensation of tax collectors.

H. 190. To amend Section 30, Title 51, Code of Alabama (1940), relating to the compensation of tax assessors.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the follow-

ing bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 365 (with substitute). To provide for certification of title for motor vehicles in this State, for the purpose of registering such vehicles, together with the ownership thereof, and the listing of all liens and encumbrances thereon; to provide means for the detection and recovery of stolen motor vehicles within this State, and to protect the public from frauds and other abuses in the sale of automobiles in this State; to provide that said law shall be administered and enforced by the State Department of Revenue with the assistance of the Probate Judges and Commissioners of Licenses of the several counties in this State; and to provide for penalties and punishment for violations of the provisions of this Act.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 812. To amend Code of Alabama, Title 51, Section 606.

H. 815. To provide for the appointment by the Governor of a press secretary, and to fix his compensation.

H. 814. To designate the first week in October of each year as "EMPLOY THE PHYSICALLY HANDICAPPED WEEK"; to create the Governor's Committee for the Employment of the Physically Handicapped; to provide for its organization and the employment and compensation of its personnel; and to make appropriations for its expenses.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 852 (with substitute). Proposing an amendment of the Constitution to strike out and repeal the provisions of Amendment XCIII submitted November 4, 1952, and proclaimed ratified November 19, 1952, relating to the expenditure of fees, taxes, and charges for the registration, operation or use of motor vehicles, etc.

The above bill was read a second time at length as required by the Constitution.

H. 92 (with substitute). To create a temporary commission for the study of Alabama's water resources and quantitative use of same, said Commission to be known as the Water Resource Study Commission; to provide for membership of said Water Resource Study Commission; to provide for the duties of said Commission; to provide for a Technical Secretary for said Commission and to provide for his duties and compensation; to appropriate the sum of \$25,000 for each of the fiscal years 1955 and 1956, for the activities of the Commission and its staff; and to provide for an expiration date for said Commission.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 216. To make an appropriation for the support of the Council of State Governments.

H. 222. Relating to the use tax; amending Section 788, Title 51, Code of Alabama, 1940, as amended, by providing for the imposition of an excise tax upon any tangible personal property already subjected to sales or use taxation by any other state or political subdivision thereof, in an amount less than that imposed by Alabama, at a rate measured by the difference between the previous rate and the rate of the Alabama use tax; and providing that no tax shall be due upon such articles of tangible personal property if the tax imposed in such other state or political subdivision is equivalent to or greater than the rate imposed in Alabama.

H. 586. To appropriate out of any monies in the State Treasury not otherwise appropriated, the sum of \$885,000.00 for each of the fiscal years ending September 30, 1956 and September 30, 1957, to the Armory Commission of Alabama to be used for the erection, construction and equipping of armories for the Alabama National Guard and for the Air National Guard in the State and for the repair and equipping of existing armories for the Alabama National Guard and for the Air National Guard in the State.

H. 519. To amend Section 354 of Title 51 of the Code of Alabama 1940, relating to the due date of franchise tax.

H. 520. To amend Section 345 of Title 51 of the Code of Alabama 1940, relating to foreign corporation permits.

H. 521. To amend Section 346 of Title 51 of the Code of Alabama 1940, relating to domestic corporation permits.

H. 714. For the relief of S. H. Park of Tuscaloosa: To make an appropriation of highway department funds to reimburse S. H. Park for sums expended for medical care and treatment on account of personal injuries suffered by him on or about October 23, 1950, while the said S. H. Park was acting within the line and scope of his employment with the State Highway Department.

H. 536. To amend Section 133 of Title 51, Code of Alabama (1940), which relates to the equalization of assessed property valuations among the counties.

H. 527. Relating to revenue; amending Section 585 of Title 51, Code of Alabama 1940, which prescribes the license tax for operators of saw mills, heading mills, and stave mills.

H. 628. To create an additional judgeship for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judge.

H. 627. Creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 775 (with amendment). To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

Mr. Branyon Chairman of the Standing Committee on Constitution and Elections reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 251. Proposing amendments of Sections 137, 139, 256, 258, 259, 260, 269, and 270 of the Constitution of 1901 to provide further for the operation of public schools.

The above bill was read a second time at length as required by the Constitution.

H. 625. To amend further Section 26 of Title 17, Code of Alabama (1940), which relates to the meetings of boards of registrars, eliminating the requirement that registrars on certain occasions must visit each precinct for the purpose of registering voters.

H. 716. To amend further Section 344 of Title 17, Code of Alabama (1940), as amended, which provides for the certification of the names of candidates of political parties entering primary elections.

Mr. Branyon Chairman of the Standing Committee on Constitution & Elections reported that said Committee in session had acted on the following bill and ordered same returned to the House, without recommendation, and it was read a second time and placed on the Calendar, to-wit:

H. 476 (without recommendation). To propose an amendment to the Constitution of Alabama creating and providing for a General Assembly to be composed of one chamber.

The above bill was read a second time at length as required by the Constitution.

Mr. Branyon Chairman of the Standing Committee on Constitution & Elections reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 835. To propose an amendment to the Constitution of Alabama authorizing the issuance of not exceeding one million dollars (\$1,000,000.00) aggregate principal amount of general obligation bonds of the State of Alabama, the proceeds of which shall be used for the purpose of financing the construction of tuberculosis sanatoria; and to provide for the payment of the principal and interest on such bonds and for the retirement thereof.

The above bill was read a second time at length as required by the Constitution.

Mr. Lackey Chairman of the Standing Committee on Health reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 601. To make it a felony for any person to buy, sell, barter, or trade a minor child, and prescribing the penalty for violation of the Act.

H. 635. To provide for the registration in this State of the birth of certain children born outside the State of Alabama.

Mr. Oden Chairman of the Standing Committee on Business and Labor reported that said Committee in session had acted on the

following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 825. To amend Section 1 of Act No. 169 of the Regular Session of the Legislature of 1945, (General Acts of Alabama 1945, Page 285, Section 1, effective August 22, 1945), as amended, by including within the definition of a producer as is defined in Sub-section (d) of said Section any person who assembles or causes to be assembled any forest products for shipment out of the State of Alabama in an unmanufactured condition.

Mr. Solomon Chairman of the Standing Committee on Agriculture reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 705 (with substitute). To provide and require uniform health and sanitary standards or requirements throughout the State of Alabama for testing, inspection and grading of milk sold for human consumption.

Mr. Wood Chairman of the Standing Committee on Conservation reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 753. To provide for annual big game permits for the hunting of deer and turkey in this State; to provide for game tags to be issued with such permits and to provide a penalty for violation of this Act.

H. 862. To provide for the organization of a public corporation to be known as the Alabama Public Lake Association, Incorporated, in order to conserve and develop the natural resources and fresh water fish of the State of Alabama and to provide for their use and enjoyment by the people of this State, and to contribute to the recreational life of the people of this State through the construction and maintenance of public lakes, and to provide who shall be the incorporators and officers thereof, and to provide for their successors in office. To provide and prescribe the method by which said corporation shall be organized and the contents of the certificate of incorporation, and to provide for the filing of the declaration of incorporation. To provide when the proposed corporation shall become incorporated and to provide for the issuance of a certificate of incorporation. To state the purposes for which the corporation may be organized, and to enumerate and define the powers of the corporation, including the power of eminent domain. To provide for the sale of forestry products and minerals from real estate owned by said corporation. To authorize the corporation to issue and sell its bonds, including refunding bonds, and to pledge its revenues and such other funds as may be available to the said corporation therefor. To provide that such bonds when issued, or other obligations of the corporation shall not constitute an indebtedness of the State of Alabama. To provide that such bonds may be issued in the name of the corporation upon resolution of the corporation authorizing the issuance of such bonds and to provide for the content of said bonds and the denominations and maturity thereof, and to further provide for the redemption of bonds and to provide that it shall be plainly stated on the face of each bond that the same does not constitute an indebtedness of the State of Alabama. To provide for the sale of such bonds and to declare the same negotiable instruments. To provide that any resolution authorizing any particular bond issue may contain provisions which shall be a part of the contract



with the holders of the bonds authorized. Such resolution may contain also a description of the property pledged for the payment of bonds and may pledge revenues to the payment of bonds and may state amounts to be charged for the use of property pledged as security for the payment of such funds and the amounts to be raised annually for such charges and the disposition of such charges and other revenues of the pledged property. To provide for the setting aside of reserves or sinking funds for property pledged or bonds, and the disposition thereof. To provide for the operation and maintenance of pledged real estate. To provide for the amendment or abrogation of any contracts with bondholders. To provide that all property of the corporation shall be exempt from State taxation. To provide that any resolution authorizing the issuance of bonds of the corporation shall state that they were issued under the provisions of this Act, which recital shall be conclusive evidence of their validity and legality of their issuance. To provide that the corporation may, in its discretion, publish any of its resolutions in a newspaper in the City of Montgomery and to prescribe the form of such publications, and to further provide that any action in any court to set aside such resolutions or to contest the validity of such bonds or trust indenture to secure the same, must be commenced within twenty days after the first publication of such notice, and to provide that no such action shall be brought after the expiration of such period and that no right of action or defense formed upon the validity of the resolutions or the bonds shall be asserted, nor shall the validity of the resolution, trust indenture, or bond be opened to question in any court except in an action or proceeding commenced within such period. To provide that such action or any other action to enforce rights under the provisions of this Act shall be brought in the Circuit Court of Montgomery County, Alabama. To provide that no contract or agreement authorized by, or executed under the provisions of this Act shall pledge the general faith and credit of the State of Alabama or incur an indebtedness of the State of Alabama. To provide for the placing of any revenue accruing to said corporation from any source whatsoever into a corporate fund which shall be used for said corporation in the furtherance of the purposes for which it is formed. To provide for the expenditure of such funds. To provide for the manner in which said corporation may be dissolved and to prescribe the procedure for such dissolution, and to provide that upon dissolution, all property rights of whatsoever nature vested in said corporation shall pass to the Department of Conservation of the State of Alabama. To provide further that the corporation may not be dissolved until all of its obligation shall be discharged. To provide that the Secretary of State shall receive and record the petition for dissolution and shall record a certificate certifying that the corporation has been dissolved. To provide that no dissolution of the corporation shall effect adversely rights attaching under existing contracts, and to provide that the corporation shall be deemed to continue for suit or defense as now provided for by law. To provide that if any section, paragraph, sentence, clause, provision or portion of this Act shall be held unconstitutional or invalid, such adjudication shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act not in and of itself unconstitutional or invalid. To provide that all laws, general, special, private or local in conflict with the provisions of this Act are hereby repealed. To provide that this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

H. 840. To amend Section 3 of Act No. 463, General Acts of Alabama 1953, page 566, approved August 31, 1953, entitled "An Act to amend Sections 1, 2, 3, 4, and 5, of Act No. 523, General Acts of Alabama 1947, page 379, approved September 30, 1947, entitled "An Act to create and establish a Water Improvement Advisory Commission; to

define the duties, jurisdiction, and powers of such Commission; to provide for its personnel, and the term of office and method for appointment of same; to provide for regular and special meetings of said Commission; to appropriate the sum of Fifty Thousand and no/100 (50,000.00) Dollars annually for each of the fiscal years 1948 and 1949 for the purpose of carrying out the provisions of this Act; and for other purposes.”, Sections 1 and 3 of said Act No. 523 having been amended By Act No. 460, General and Local Acts 1949, page 667, approved August 25, 1949, entitled “An Act to amend Sections 1 and 3 of Act No. 523, Senate Bill 315, approved September 30, 1947, entitled ‘An Act To create and establish a Water Improvement Advisory Commission; to define the duties, jurisdiction, and powers of such commission; to provide for its personnel, and the term of office and method for appointment of same; to provide for regular and special meetings of said Commission; to appropriate the sum of Fifty Thousand and No/100 (50,000.00) Dollars annually for each of the fiscal years 1948 and 1949, for the purpose of carrying out the provisions of this Act; and for other purposes.’ ”, by changing the name of the Water Improvement Advisory Commission to the Water Improvement Commission; by providing for nominations for membership representing the lumbering industry to be made by Alabama Forest Products Association; by providing for the declaration of a vacancy by the Commission when certain representative members are absent from three consecutive meetings, and by providing for the filling of such vacancies; by providing for the filling of vacancies of the members representing the University of Alabama and the Alabama Polytechnic Institute: by establishing an Executive Committee for the Water Improvement Commission, and prescribing the manner of appointment, powers, duties and term of the members of said Executive Committee; **by providing for the Commission to cooperate and advise with municipalities;** by deleting provisions for the designation of industrial streams by the Commission and by deleting certain named streams and waters as industrial streams; by deleting the requirement that the Commission’s rules and regulations be approved by the Legislature; by authorizing the Commission to determine when persons violate or are about to violate provisions of this Act, and to notify such persons and require a report to be filed with the Commission, and authorizing the Commission after receiving such report to make such orders as are reasonable and necessary; by authorizing the Commission to control the quantity of pollution existing prior to August 25, 1949, if said pollution creates a health hazard, and by authorizing the Commission to control new or increased pollution since said date; by requiring municipalities, industries and persons to obtain permits for discharging sewage and waste; by prescribing the mode of review of rules and orders made by the Commission, and by regulating and providing for such review by the Commission, the Circuit Court and the Supreme Court; by authorizing the Commission to enforce the terms of permits issued by issuing orders to cease and desist; by providing for a criminal penalty for persons willfully violating final orders of the Commission or the provisions of Section 3(h) of this Act; by establishing a Water Improvement Commission Fund and enumerating the contents thereof, and by providing for the expenditure and disposition of said funds; to preserve the terms of the members of the Water Improvement Advisory Commission as members of the Water Improvement Commission and to transfer all matters pending before the Water Improvement Advisory Commission to the Water Improvement Commission, and to provide that all jurisdiction exercised and acts performed by the Water Improvement Advisory Commission be considered as acts of the Water Improvement Commission;” by deleting from the Act those provisions allowing for pollution existing in an effluent prior to August 25, 1949, “and to provide for the effective date of this Act.”

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 292 (with amendments). Proposing an amendment to the Constitution relating to the issuance of bonds or other securities.

The above bill was read a second time at length as required by the Constitution.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 585. Relating to Counties having a population of not less than 94,000 nor more than 134,000 inhabitants according to the last or any subsequent decennial census of the United States; regulating the business of operating certain cemeteries within such Counties.

H. 831. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Tuscaloosa County authorizing said county to become indebted, in addition to all other indebtedness, and to issue bonds in evidence thereof for the purpose of constructing and equipping a county courthouse and jail and acquiring land therefor.

The above bill was read a second time at length as required by the Constitution.

H. 832. Relating to the General, Road and Bridge, and Gasoline Funds of Butler County: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

H. 833. To authorize all cities or towns in the State of Alabama having a population of 6500 and not more than 6900 according to the last or any subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the manner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote in

a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the Mayor-Council form of government; and to provide that all laws or parts of laws in conflict with this act are repealed.

H. 836. Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.

H. 844. Relating to Jackson County; regulating further the office of the sheriff of Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or like county governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws.

H. 845. To amend further Act No. 65, H. 81, approved November 4, 1950, which created the board of revenue for Jackson County and abolished the court of county commissioners.

H. 853. Relating to Lawrence County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of Lawrence County to pay to the Sinclair Refining Company the sum of one hundred seventy-one dollars and thirty-five cents (\$171.35) out of the gasoline tax fund in the county treasury to compensate the company for damages to two gasoline pumps which were struck and destroyed by a county truck then being used in county road work.

H. 856. For the relief of Harold E. Simmons of Madison County: Appropriating one hundred dollars (\$100) from the general fund in the county treasury of Madison County to be paid to Harold E. Simmons for property damage sustained when his automobile was struck by a county highway truck in 1953.

H. 859. To regulate drawing of warrants on the Treasury of Mobile County or on any fund of such County and the signing thereof, for the payment of all salaries, wages, materials, equipment or supplies which are now or which may become a charge against Mobile County or any fund thereof, except warrants or certificates drawn for the payment of jurors, witnesses and election officials; to provide that all such warrants shall be drawn and signed by the Chairman of the Board of Revenue and Road Commissioners and by no other officer of Mobile County and to repeal all laws in conflict herewith.

H. 861. To provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance.

H. 864. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

S. 292. To create in every county having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, the position of Coroner's Pathologist; to fix the qualifications therefor; to provide the method

of his appointment and to fix his compensation and the manner in which it shall be paid.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report.

H. 828. Relating to Walker County: To further regulate the practice of law and proceedings now pending or hereafter instituted for the removal, suspension, disbarment, or other disciplinary action against any attorney admitted to the practice of law, and to provide for a jury trial in all such proceedings.

Mr. Goodwyn moved to re-refer the bill, H. 828.

Mr. Selman moved to lay on the table the motion of Mr. Goodwyn to re-refer the bill, H. 828, and the motion was lost.

Yeas 23; Nays 58.

**Yeas:**

Messrs.	Burkhalter	Ferrell	Killough
Ashworth	Callahan	Gregory	Mathews
Branyon	Davis	Grouby	Mathison
Brassell	Dawkins	Hawkins	Selman
Broadfoot	Dement	Jenkins	Shumate
Brown (Lamar)	Edwards (Escambia)	Kelly	Taylor

—23

**Nays:**

Mr. Speaker	Goodwyn	Kirkham	Payne
Adams	Hain	Law	Perry
Albea	Hall	Lee (Barbour)	Pirkle
Boyd	Haltom	Lee (Lawrence)	Pruitt
Bradford	Hanby	Locke (Perry)	Richardson
Brannan	Hardy	Love	Simon
Brewer	Hare	McClendon	Solomon
Brown (Lee)	Harrison	McKay	Stembridge
Cox	Harvey	McNider	Stokes
DeSear	Hodges	Martin	Summerlin
Dickson	Holliman	Molette	Thomas
Edwards (Jefferson)	Johnson (Elmore)	Nettles	Tyson
Franklin	Johnson (Tallapoosa)	Nice	Windle
Gilchrist	Kaul	Oakley	Wood
Gist	Kendall		

—58

And the motion of Mr. Goodwyn to re-refer the bill, H. 828, was adopted.

Yeas 52; Nays 29.

**Yeas:**

Mr. Speaker	Cox	Hain	Harvey
Adams	DeSear	Hall	Hodges
Albea	Dickson	Haltom	Holliman
Ashworth	Edwards (Jefferson)	Hanby	Johnson (Tallapoosa)
Boyd	Franklin	Hardy	Kaul
Brewer	Gilchrist	Hare	Kendall
Brown (Lee)	Goodwyn	Harrison	Kirkham

Lackey	McNider	Payne	Solomon
Lee (Barbour)	Martin	Perry	Stembridge
Lee (Lawrence)	Molette	Pirkle	Stokes
Locke (Perry)	Nettles	Pruitt	Summerlin
McClendon	Nice	Richardson	Thomas
McKay	Oakley	Simon	Tyson

—52

**Nays:**

Messrs.	Burkhalter	Gregory	Mathison
Bassett	Callahan	Grouby	Reynolds
Bradford	Davis	Hunt	Selman
Branyon	Dawkins	Jenkins	Shumate
Brassell	Dement	Kelly	Speaks
Broadfoot	Edwards (Escambia)	Love	Taylor
Brooks	Ferrell	Mathews	Wood
Brown (Lamar)	Gist		

—29

And the Speaker re-referred the bill, H. 828, to the Standing Committee on Judiciary.

Mr. Meeks Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 818 (with substitute). TO provide that the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census may by ordinance adopted by the favorable vote of a majority of the members of such body amend, supplement, change, modify or repeal any zone regulation, restriction or boundary of such city.

Mr. Meeks Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 865. To authorize any county of the State of Alabama having a population of 500,000 or more according to the last or any subsequent Federal Census to appropriate from time to time funds of said county to any public corporation heretofore or hereafter created under Act No. 215 of the Legislature of Alabama of 1947, approved on July 24, 1947, (General Acts of Alabama of 1947, page 81, et seq.), as said last named Act has been or may be hereafter amended.

H. 866. To provide that any territory which becomes a city or town or part of a city or town in any county having a population of 400,000 or more according to the last or any succeeding federal census, shall continue to be subject to the regulations and restrictions relative to the use and construction of buildings and structures and the use of land for trade, industry and residences as such territory shall have been subject to at the time it became such city or town or a part of such city or town until such city or town has zoned or regulated such territory in such regards; To provide that the provisions of this Act shall not apply to any territory annexed to any city having a population of 250,000 inhabitants or more according to the last or any succeeding federal census.

Mr. Brown (Lee) Chairman of the Standing Committee on Transportation reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 21. Relating to fishing from bridges; authorizing and directing the state highway department, The Director of the Conservation Dept. and the governing bodies of the various counties in the state to construct and maintain on the sides of certain bridges under their authority and jurisdiction a "walkway," "catwalk," or other such pier or platform for the purpose of providing a safe place, removed from the danger of passing motor vehicles, from which fish may be caught or taken from the streams or waters flowing under such bridges.

H. 834. To authorize and empower the director of the highway department to issue special permits for the movement of certain over-sized vehicles over the public highways of the State.

### INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Tyson, Murphy and Simon:

H. 868. To regulate further the catching, taking, transporting, and processing of menhaden; to authorize the state department of conservation to adopt and enforce reasonable rules and regulations governing the catching, taking, and transporting of menhaden; to levy certain license taxes and to provide for the distribution of the proceeds thereof; to provide for the enforcement of the Act; to provide for an appropriation; and to prescribe penalties for violations of the Act or the rules and regulations promulgated under the Act.

### Conservation.

By Messrs. Tyson, Murphy and Simon:

H. 869. Relating to places of voting in state and county elections in all counties of the State having a population of not less than 200,000 nor more than 400,000 according to the last or any subsequent Federal decennial census: Providing for the designation of only one voting place in any ward, district or precinct in any such counties, and authorizing and providing for the assignment of booths or voting machines at such voting places to alphabetical groups of not more than six hundred qualified voters, and directing that qualified voters may vote at the designated voting place and the booth or voting machine assigned to the alphabetical group in which his name belongs in the ward, district or precinct of which he is a qualified voter.

### Local Legislation No. 1.

By Mr. Dawkins:

H. 870. To amend Act No. 712, H. 48, approved September 5, 1951 (Acts of Alabama, Regular Session, 1951, p. 1250), entitled "An Act To create a State Bureau of Publicity and Information, transferring to it the functions, funds, jurisdiction, authority, personnel, property and effects of the Division of Records and Reports, providing for the appointment of a Director of Publicity and an advisory board, abolishing the office of Director of the Division of Records and Reports, conferring exclusive power upon the Bureau to plan and conduct all state programs of tourist advertising, and making an appropriation for that purpose."

### Ways and Means.

By Messrs. Dawkins, Hawkins, deGraffenried, Davis, Mathews, Brown (Lamar), Lee (Barbour), Stenbridge, Ward, Simon, Ramey, Martin, Dement and Branyon:

H. 871. To amend further Section 390 of Title 14, Code of Alabama (1940), which relates to the compensation of the State Toxocologist.

Ways and Means.

By Mr. Edwards (Escambia) (with notice and proof):

H. 872. Providing further for the government of Escambia County; providing for the construction, maintenance, and repair of the county roads and bridges on the basis of the county as a unit; providing for the appointment of a road superintendent for the county, and for his powers, duties, and compensation; providing for the appointment of a county engineer, and for his powers, duties, and compensation; providing for central purchasing for the county; and providing for a county purchasing agent and for his powers, duties, and compensation.

Local Legislation No. 1.

Notice and Proof H. 872:

#### PUBLIC NOTICE

#### STATE OF ALABAMA COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Providing further for the government of Escambia County; providing for the construction, maintenance, and repair of the county roads and bridges on the basis of the county as a unit; providing for the appointment of a road superintendent for the county, and for his powers, duties, and compensation; providing for the appointment of a county engineer, and for his powers, duties, and compensation; providing for central purchasing for the county; and providing for a county purchasing agent and for his powers, duties, and compensation.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The roads and bridges of Escambia County shall be constructed, repaired, and maintained hereafter on the basis of the county as a unit and without regard to district lines. No county personnel or equipment shall be allocated or used in the construction, repair, and maintenance of county roads and bridges on any basis other than the county as a unit. The Board of Revenue of Escambia County shall adopt annually a detailed financial budget to be followed during the ensuing year in the construction, repair, and maintenance of the roads and bridges of the entire county. The budget shall specify the roads and bridges to be repaired and where new roads and bridges are to be located and constructed, and shall allocate a specific amount or portion of county funds for such repairs and construction. The budget shall not be departed from except in cases of emergency upon a unanimous vote of the Board.

Section 2. Immediately upon the effective date of this Act, the director of the State Highway Department shall appoint a road superin-



tendent for Escambia County. The county road superintendent shall have general supervision of the road and bridge work of the county, under the direction of the Board of Revenue, and shall devote his entire time and attention to the duties of his office. It is expressly provided, however, that the Board of Revenue shall have no authority to appoint, or terminate the employment of, the road superintendent until the first Monday after the second Tuesday in January, 1957. Any vacancy which may occur in the position prior to that date shall be filled by appointment by the director of the State Highway Department. After the first Monday after the second Tuesday in January, 1957, the county road superintendent shall serve at the pleasure of, and shall be appointed by, the Board of Revenue of Escambia County.

Section 3. Subject to the direction of the Board of Revenue, and in accordance with the road and bridge budget adopted by the Board, the county road superintendent shall:

- 1) Exercise general supervisory powers over the construction and maintenance of the county public roads and bridges, which construction and maintenance work shall be performed on the basis of the county as a unit, without regard to any district lines;

- 2) direct the work of the county engineer;

- 3) employ, and when necessary terminate the employment of, such employees as are necessary properly to construct, repair, and maintain the county public roads and bridges;

- 4) confer with the members of the Board of Revenue from time to time toward the end that the policies of the Board may be understood and accurately carried out; and

- 5) perform such other duties as may be required of him by the Board of Revenue.

Section 4. The county road superintendent is hereby designated as the person authorized to make written requisition upon the county purchasing agent for all articles, materials, supplies, and equipment necessary for the construction, repair, and maintenance of roads and bridges.

Section 5. The county road superintendent shall be the custodian of, and shall be accountable for, all road tools, machinery, supplies, and equipment of Escambia County, including all road tools, machinery, supplies, and equipment now owned by the county or any district thereof. The Board of Revenue shall furnish the necessary storage facilities for the tools, machinery, supplies and equipment; and the county road superintendent shall keep on file in his office, at all times, a current inventory of all tools, machinery, supplies, and equipment belonging to Escambia County.

Section 6. Subject to the approval of the Board of Revenue, the county road superintendent shall fix, from time to time, in accordance with prevailing economic conditions, the scales of salaries or wages to be paid for labor necessary to the construction, repair, and maintenance of the county roads and bridges.

Section 7. As compensation for the services required of him by this Act, the county road superintendent shall receive an annual salary of five thousand four hundred dollars (\$5,400), payable in equal monthly installments from the gasoline tax or road and bridge funds of the county, on warrants drawn by the chairman of the Board of Revenue.

Section 8. Before entering upon the discharge of his duties, the county road superintendent shall execute a bond in the amount of seven

thousand five hundred dollars (\$7,500.00), payable to Escambia County, conditioned upon the faithful discharge and performance of his duties, and upon the faithful accounting of the monies or property of the county which may come into his possession. The premiums on the bond shall be paid by the county.

Section 9. Immediately upon the effective date of this Act, the director of the State Highway Department shall appoint a county engineer for Escambia County. The county engineer shall possess all the qualifications prescribed for county engineers by the general laws of this State, and, except as otherwise provided herein, shall perform all the duties required by general law of county engineers. The salary of the county engineer shall be six thousand six hundred dollars (\$6,600) per annum, which salary shall be paid in equal monthly installments from the gasoline tax or road and bridge funds of the county, on warrants drawn by the chairman of the Board of Revenue. During his term of employment, the county engineer shall reside in Escambia County. It is expressly provided that the Board of Revenue shall have no authority to appoint, or terminate the employment of, the county engineer until the first Monday after the second Tuesday in January, 1957. Any vacancy which may occur in the position prior to that date shall be filled by appointment by the director of the State Highway Department. After the first Monday after the second Tuesday in January, 1957, the county engineer shall serve at the pleasure of, and shall be appointed by, the Board of Revenue of Escambia County.

Section 10. Immediately upon the effective date of this Act, the State Purchasing Agent shall appoint a purchasing agent for Escambia County. The Board of Revenue shall have no authority to appoint, or terminate the employment of, the county purchasing agent until the first Monday after the second Tuesday in January, 1957. Any vacancy which may occur in the position prior to that date shall be filled by appointment by the State Purchasing Agent. After the first Monday after the second Tuesday in January, 1957, the county purchasing agent shall serve at the pleasure of, and shall be appointed by, the Board of Revenue of Escambia County.

The county purchasing agent shall purchase for the county officials, the county offices, and every department of the county, all books, stationery, supplies, office equipment, printing and printing matter, blanks, forms, machinery, equipment, tools, materials, supplies, and contractual services needed by such county officials, offices, and departments. Subject to the approval of the Board of Revenue, the purchasing agent shall have authority:

- 1) To establish standard specifications for supplies, equipment, and materials used by the county officials, offices, and departments;
- 2) to operate a central storeroom;
- 3) to require county officers, offices, and departments to prepare estimates of requirements;
- 4) to transfer among the county officers, offices, and departments surplus supplies, equipment, and materials, or to sell surplus or obsolete items after receiving at least three competitive bids upon such surplus or obsolete items;
- 5) to promulgate reasonable rules and regulations governing the acquisition of supplies, materials, and equipment, or the disposal of surplus or obsolete personal property of the county.

Section 11. The purchasing agent shall obtain at least three written, sealed competitive bids for all purchases of or contracts for, supplies, equipment, materials, and contractual services when the amount in-

volved is two hundred fifty dollars (\$250.00) or more. If the purchase or contract involves an amount of less than two hundred fifty dollars (\$250.00), the purchasing agent may make such purchases or contracts either upon the basis of sealed bids or in the open market, in his discretion; but, so far as practicable, such purchases or contracts shall be based upon at least three competitive bids. It shall be a violation of the section to divide or otherwise adjust the quantity of a purchase to an amount less than two hundred fifty dollars (\$250.00) for the purpose of evading this section. Invitations for bids shall be posted on a bulletin board in the county court house and sent to prospective suppliers at least one week before the final date for submitting bids. Bids shall be opened publicly by the purchasing agent at a time and place stated in the invitations. The purchasing agent shall award the purchase to the lowest responsible bidder, or he may reject all bids and renegotiate the purchase when the public interest will be served thereby. The purchasing agent shall obtain information from the division of purchases and stores of the state department of finance concerning the price to the State of the items to be purchased, and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated through the state purchasing agent. In an emergency arising from any unforeseen causes, including delay by contractors, delay in transportation, breakdown in machinery or other work stoppage, and unanticipated volume of work, the purchasing agent may negotiate a purchase costing two hundred fifty dollars (\$250.00) or more by soliciting three competitive bids informally, either verbally or by telephone, telegraph, or letter, and without obtaining information from the division of purchases and stores. The provisions of this Act regarding three competitive bids and obtaining information from the division of purchases and stores may be waived in cases of emergency involving actual danger to life or property, and for purchases of perishable commodities, items and services of a technical or specialized nature, utility services, and commodities or services for which there is no competitive situation. The provisions of this Act requiring purchases to be made through the county purchasing agent may be waived in the case of small purchases costing no more than ten dollars (\$10.00), provided that no such purchase is part of a larger purchase which has been divided for the purpose of coming within this exception. All county officers, and all county offices and departments shall inspect, upon delivery, all materials, supplies, and equipment purchased by the purchasing agent, and no item shall be accepted and paid for without having been approved by the officer, office, or department requesting the purchase. Any official or person who purchases or procures any supplies, materials, equipment, or services contrary to the provisions of this section shall be personally liable for the amount of such purchase.

Section 12. Supplies, materials, equipment, and services shall be furnished to the county officers, offices, and departments only upon written requisition setting forth the articles needed and signed by the officer for whose office the articles are requested. The requisitions shall state by items the articles that are desired and needed, that the articles are necessary, that the amount of the requisition is not excessive, and that no part of the articles will be used except in conducting the public business. The requisitions, with the purchase invoices attached, shall be kept on file in the office of the purchasing agent, in an orderly manner, as a permanent record subject to public inspection at all reasonable times.

Section 13. The purchasing agent shall keep a current inventory of all property owned or leased by the county, which inventory record shall show where such property is located and in whose possession or under whose control it is.

Section 14. Before entering upon the discharge of his duties, the county purchasing agent shall execute a bond in the sum of fifteen thousand dollars (\$15,000). The bond shall be payable to Escambia County, with good and sufficient surety, and shall be conditioned upon the faithful discharge and performance of his duties. The bond shall be filed and recorded in the office of the judge of probate of the county, and the premium thereon shall be paid by the county. As compensation for the duties required of him by this Act, the county purchasing agent shall receive an annual salary of five thousand four hundred dollars (\$5,400), payable out of the county general fund in equal monthly installments on warrants drawn by the chairman of the Board of Revenue.

Section 15. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 16. All laws or parts of laws in conflict with the provisions of this Act are repealed.

Section 17. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REP. MALCOLM EDWARDS  
(Escambia County) 7-4t

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. E. Brooks, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the The Brewton Standard, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1955.

W. E. BROOKS, JR.,  
Editor.

Sworn to and subscribed before me Aug. 4, 1955.

PEARL KEEBLE,  
Notary Public.

By Mr. Edwards (Escambia) (with notice and proof):

H. 873. To repeal Act No. 349, Acts of Alabama, Regular Session 1953, page 415, which authorizes the Board of Revenue of Escambia County to pay a monthly expense allowance to the members of such Board.

Local Legislation No. 1.

Notice and Proof H. 873:

#### PUBLIC NOTICE

#### STATE OF ALABAMA COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Section 1. Act No. 349, Acts of Alabama, Regular Session, 1953, page 415, which authorizes the Board of Revenue of Escambia County to pay a monthly expense allowance to the members of such Board, is expressly repealed.

Section 2. This Act shall become effective upon the expiration of the terms of the incumbent members of the Board of Revenue of Escambia County, as provided by the Constitution of Alabama.

The said Act No. 349, Acts of Alabama, Regular Session, 1953, page 415, reads substantially as follows, to-wit:

Section 1. That the Board of Revenue of Escambia County, Alabama, is hereby authorized to allow and pay to each member of said Board, for his necessary, usual and monthly expenses, incurred by said members in the performance of their public official and legal duties,—the sum of (\$75.00) Seventy-Five Dollars per month on the last day of each month and out of any of the funds of said county,—except the gasoline tax fund revenues of said county. This Act being agreed to by all the members of said Board of Revenue.

Section 2. That said members of said Board,—may do so,—but are not required or compelled by law, to use, furnish, operate, maintain and repair their privately owned automobiles,—to inspect the county public roads of said county, or to inspect and supervise the construction, repair and maintenance of the county public roads and bridges of said county,—at their own personal and private expense. No Local Law of said County, to the contrary notwithstanding, if any there be. That all such Local Laws, if there be any, to the contrary, are hereby repealed.

Section 3. That this law is like a law of the same kind, being Local Act No. 383 of said county, approved September 16, 1947 and which Act expired September 16, 1949, as shown by the Local Acts of Alabama of the year 1947. That this law shall go into effect immediately upon its approval by the Governor, or upon its otherwise becoming a law.

REP. MALCOLM EDWARDS.

(Escambia County) 7-4t

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA, ESCAMBIA COUNTY:

I, W. E. Brooks, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard once a week for 4 consecutive weeks, namely in the issues of July 14, 1955, July 21, 1955, July 28, 1955, August 4, 1955.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks. The attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama.

W. E. BROOKS, JR.,  
Editor.

Subscribed and sworn to before me this 4 day of Aug., 1955.

PEARL KEEBLE,  
Notary Public, Escambia County, Ala.

By Mr. Goodwyn (with notice and proof):

H. 874. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Local Legislation No. 1.

Notice and Proof H. 874:

### LEGAL NOTICES

Notice is hereby given that a Bill substantially as follows will be introduced at the 1955 regular session of the Legislature of Alabama and application for its passage and enactment will be made:

### A BILL TO BE ENTITLED AN ACT

To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Montgomery, in the County of Montgomery, and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery and included in the following boundaries:

Beginning at the southeast corner of the northwest quarter of Sec. 3, T16N, R1SE, Montgomery County Ala, thence north along the east line of said northwest quarter of Sec. 3 to the north line of the south half of the northwest quarter of Sec. 3, thence west along the north line of the south half of the northwest quarter of Sec. 3, to the west line of Sec. 3, thence north along the west line of Sec. 3 to the northeast corner of Sec. 4, T16N, R1SE, thence west along the north line of said Sec. 4, to the northwest corner of the northeast quarter of Sec. 4, thence south along the west line of said northeast quarter of Sec. 4, to the southwest corner of said northeast quarter of Sec. 4, thence east along the south line of the northeast quarter of Sec. 4 and the south line of the northwest quarter of Sec. 3 T16N, R1SE, to the point of beginning.

Section 2. That all laws or parts of law in conflict hereby repealed.

Section 3. This act shall take effect on October 1, 1955.

Montgomery Examiner  
July 12, 19, 26 and Aug. 2, 1955

### THE STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, Lucille Raffels, A Notary Public, in and for said County and State personally appeared and states Charles G. Dobbins, publisher for "The Montgomery Examiner", publishers of The Montgomery Examiner, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached is a true copy of a "Legal Notice" of the City of Montgomery, Alabama, which appeared in the regular editions of the said newspaper published in said City and County of Montgomery, on the following dates: July 12, 19, 26 and August 2, 1955.

CHARLES DOBBINS.

Sworn to and subscribed before me this the 2nd day of August, 1955.

LUCILLE RAFFELS,  
Notary Public.

By Messrs. Roberts and Reynolds (with notice and proof):

H. 875. To provide for the establishment, maintenance, and operation of a public law library in Madison County; to provide for the financing thereof; and to require the audit of law library funds by the Department of Examiners of Public Accounts.

Local Legislation No. 1.

Notice and Proof H. 875:

STATE OF ALABAMA  
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for the establishment, maintenance, and operation of a public law library in Madison County; to provide for the financing thereof; and to require the audit of law library funds by the Department of Examiners of Public Accounts.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of Madison County is hereby authorized to establish, operate, and maintain a public law library within the county. To accomplish this purpose, the governing body may expend such public funds of the county as are not otherwise appropriated or pledged to provide suitable quarters, furniture, fixtures, and equipment as may be necessary to operate a law library; to keep the library in a good state of maintenance and repair; to enlarge, expand, and improve the library, and its facilities and equipment; to provide such books, reports, and periodicals for the library as are not provided for out of the proceeds of the special library fund created by this Act, or otherwise; and to pay the salary of a county law librarian, to the extent that the salary is not paid out of the proceeds of the special library fund. The expenditures authorized by this section may, from time to time, be made at the discretion of the county governing body on warrants drawn in the usual manner, upon the county treasurer, payable out of appropriate funds.

Section 2. The Madison law library shall operate under the supervision and control of the Madison County Senior Circuit Court Judge. The said Judge shall exercise general powers of supervision over the affairs of the library; and shall appoint a county law librarian and shall fix the librarian's salary.

Section 3. (a) To provide a special fund for the maintenance and operation of the library, there shall be taxed as costs the sum of three dollars (\$3.00) in each civil or quasi-civil action at law, suit in equity, criminal case, quasi-criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bond given in connection with an appeal from a judgment or conviction in any inferior or municipal court to the circuit court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise, to the circuit court of Madison County. The costs provided

for by this subsection shall be collected as other costs in such cases are collected by the circuit clerk or the register in chancery, as the case may be, and shall be retained, by the circuit clerk, or, if collected by the register, paid over to the circuit clerk.

(b) There shall also be taxed as costs the sum of fifty cents (\$.50) in each criminal case and civil case in the inferior court of Huntsville, Madison County, Alabama, which costs shall be collected as other costs in such cases are collected, and when collected by the clerk of the inferior court shall be paid by him to the circuit clerk of Madison County.

(c) There shall also be taxed as costs the sum of three dollars (\$3.00) in each proceeding for the administration of the estate of any deceased or incompetent persons, for the condemnation of land or any interest therein, or for the adoption of any child in the probate court of Madison County, which costs shall be collected as other costs in such cases are collected, and when collected by the clerk of the probate court shall be paid by him to the circuit clerk of Madison County.

Section 4. The sums required by this Act to be retained or paid to the circuit clerk of Madison County shall be kept by him in a separate fund designated as the "Madison County Law Library Fund," and, subject to the approval and direction of the Senior Circuit Judge, shall be expended by him for the maintenance and operation of the library. The circuit clerk shall receive as compensation for such services a commission of five percent (5%) on all funds received by him under authority of this Act. The law library fund shall be used primarily to pay the compensation of the county law librarian and the circuit clerk, and to purchase such books and periodicals as may in the opinion of the law library board be advisable, but to the extent not so used such funds may be otherwise expended for the maintenance of the library. All books or other property purchased with the funds produced by this Act shall be the property of Madison County; provided, however, that the Senior Circuit Judge may from time to time sell or exchange any such books, reports, periodicals, and personal property, and apply the proceeds of the sale thereof, or the value thereof, upon the purchase of other books, reports, periodicals, and personal property for use in the library. Also, the said Judge may accept any gift or loan of books, reports, periodicals, and property for public use in the library, upon such terms and conditions as may be stipulated by the donor or lender thereof and as may be agreeable to the said judge.

Section 5. The items of cost referred to in this Act shall be designated in the respective courts as "law library fee." On or before the tenth day of each month, the persons so required by this Act shall pay to the circuit clerk the amounts collected for law library fees before the first day of the month. The Madison County law library fund shall be subject to audit by the Department of Examiners of Public Accounts, which audit shall be performed at the same time and in the same manner as the audit of other funds of the circuit clerk.

Section 6. The provisions of this Act are severable. If any part of the Act is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 29, July 6, 13 & 20, 1955.



## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Langhorne, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1955.

J. M. LANGHORNE,  
General Manager.

Sworn to and subscribed before me July 21, 1955.

CHARLEY W. HOLDER,  
Notary Public.

By Messrs. Hawkins and Hanby (with notice and proof):

H. 876. Relating to Etowah County: To abolish the present Board of Revenue of Etowah County, Alabama, and to create the Etowah County Board of Revenue in lieu thereof; to provide for the election and terms of office of the President and four Associate Members, and the districts in which the Associate Members must reside and be a qualified elector, to provide for the jurisdiction of the Board, the duties of the President and Associate Members, supervision of roads and bridges for the county, public meetings of the Board, the salaries of the president and Associate Members, the repeal of laws in conflict herewith and the effective date **hereof**.

Local Legislation No. 1.

Notice and Proof H. 876:

## LEGAL NOTICES

STATE OF ALABAMA,  
COUNTY OF ETOWAH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Etowah County: To abolish the present Board of Revenue of Etowah County, Alabama, and to create the Etowah County Board of Revenue in lieu thereof; to provide for the election and terms of office of the President and four Associate Members, and the districts in which the Associate Members must reside and be a qualified elector, to provide for the jurisdiction of the Board, the duties of the President and Associate Members, supervision of roads and bridges for the county, public meeting of the Board, the salaries of the President and Associate Members, the repeal of laws in conflict herewith and the effective date **hereof**.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created, and shall be established on the first Wednesday after the ninetieth day after final adjournment of the

1955 Regular Session of the Legislature, the Etowah County Board of Revenue, which shall be in lieu of the existing Board of Revenue for said county and shall be composed of a President and four Associate Members.

Section 2. The President of the Board shall be a qualified elector in Etowah County, Alabama, and shall be elected by the qualified electors of the entire county. The President of said Board shall be elected at the general election to be held in the year 1958, and every four years thereafter, and shall hold office from the first Monday after the second Tuesday in January following his election, and until his successor is elected and qualified. The President of the existing Board of Revenue shall serve as President of the Board herein established until a President is elected and assumes office as herein provided.

Section 3. Associate Members of the Board shall be elected by the qualified electors of the entire county, as hereinafter provided. Associate Member Number Two and Associate Member Number Three of the Board shall be elected at the general election to be held in the year 1960, and every four years thereafter, to hold office for a term of four years from the first Monday after the second Tuesday in January following their election, and until their successors are elected and qualified; provided, that the first of such members shall be elected as follows, and shall take office on the day after their election: An election shall be held in the county on the first Tuesday after the ninetieth day after final adjournment of the 1955 Regular Session of the Legislature for the purpose of electing a member of the Board from District No. 2 and a member from District No. 3 to serve until their successors are elected and take office as herein provided. Said election shall be held and conducted as in the case of a special election to fill a vacancy in the Legislature, except that the election shall be non-partisan and no emblem, name, or other designation of a candidate's political party affiliation shall be printed or written on the ballots or ballot labels used at the election, and the candidate receiving a plurality of the votes cast shall be elected. Candidates must qualify by filing a written declaration of candidacy with the judge of probate at least forty-five days before the election. No person shall be eligible for election unless he is a qualified elector of the county and a resident of the district he seeks to represent.

Associate Member Number One and Associate Member Number Four shall be elected at the general election in 1958, and every four years thereafter, to hold office from the first Monday after the second Tuesday in January following their election, and until their successors are elected and qualified. The member of the Existing Board of Revenue holding Place No. 1 shall serve as a member of the new Board from District No. 1 and the member of the existing Board holding Place No. 2 shall serve as a member of the new Board for District No. 4; and their successors shall be elected in 1958 and assume office on the first Monday after the second Tuesday in January, 1959.

One Associate Member of the Board shall be a resident in and qualified elector of District No. 1, which said district is described as follows:

All of that portion of Etowah County, Alabama, lying East and Southeast of the Coosa River.

One Associate Member of the Board shall be a resident in and a qualified elector of District No. 2 which said district is described as follows:

Beginning on the Southeast side of the Attalla-Chattanooga Highway where said Attalla-Chattanooga Highway crosses the boundary line

between DeKalb County and Etowah County; thence in a Southwesterly direction along the southeast side of said Attalla-Chattanooga Highway to a point where said highway intersects the north boundary line of the City limits of Attalla, Alabama; thence following the boundary line of all that portion of the city limits of the City of Attalla, lying northwest of the Attalla-Chattanooga Highway and the Attalla-Birmingham Highway to a point where the southerly most point of said boundary line of the City of Attalla touches the northwest side of the Attalla-Birmingham Highway; thence along the northwest side of said Highway in a Southwestern direction to the boundary line between Etowah County and St. Clair County; thence in a southerly and easterly direction along the boundary line of Etowah County and St. Clair County to the west side of Coosa River at a point where said river crosses from Etowah County into St. Clair County; thence following the meanderings of the Coosa River in a northerly direction along the west side of said Coosa River to a point where said Coosa River crosses the boundary line between Etowah County and Cherokee County; thence in a northerly direction along the boundary lines between Etowah County and Cherokee County to a point where the boundary lines of Etowah County, Cherokee County and DeKalb County meet; and thence in a westerly direction along the boundary line between Etowah County and DeKalb County to the point of beginning; it being the express intention of this description to include, in addition to the property herein described to include, in addition to the property herein described, all the property lying within the city limits of the City of Attalla, Alabama, and all the property lying West of the Coosa River within the city limits of Gadsden, Alabama.

One Associate Member of the Board shall be a resident in and a qualified elector of District No. 3, which said district is described as follows:

Beginning on the northwest side of the Attalla-Chattanooga Highway where said Attalla-Chattanooga Highway crosses the boundary line between DeKalb County and Etowah County; thence in a southwesterly direction along the northwest side of said Attalla-Chattanooga Highway to a point where said highway touches the boundary line of the City Limits of the City of Attalla, Alabama; thence following the boundary lines of the city limits of Attalla in a westerly direction to where said boundary line of said City of Attalla intersects the Attalla-Boaz Highway; thence in a northwesterly direction along said Attalla-Boaz Highway to a point where said highway intersects the boundary line between Marshall County and Etowah County; thence in an easterly direction along said boundary line between Marshall County and Etowah County to a point where the boundary line of Marshall County, Etowah County and DeKalb County meet; and thence along the boundary line between DeKalb County and Etowah County in an easterly direction to the point of beginning.

One Associate Member of the Board shall be a resident in and a qualified elector of District No. 4, which said district is described as follows:

Beginning at a point where the Attalla-Boaz Highway intersects the boundary line between Etowah County and Marshall County, thence following said Attalla-Boaz Highway in a southerly direction to a point where said Attalla-Boaz Highway intersects the boundary line of the City of Attalla; thence in a Southerly and Southwesterly direction following the boundary line of all that portion of the city limits of Attalla, lying southwest of said Attalla-Boaz Highway and northwest of the Attalla-Birmingham Highway to where said boundary line touches said Attalla-Birmingham Highway; thence in a southwesterly direction along

said Attalla-Birmingham Highway to a point where said Attalla-Birmingham Highway intersects the boundary line between Etowah County and St. Clair County; thence in a westerly and northwesterly direction along the boundary line between Etowah County and St. Clair County to a point where the boundary line of Etowah County, St. Clair County and Blount County meet; thence in a northeasterly and northerly direction along the boundary line between Etowah County and Blount County to a point where the boundary lines of Etowah County, Blount County and Marshall County meet; and thence in a northeasterly direction along the boundary line between Etowah County and Marshall County to the point of beginning.

Section 4. The Board of Revenue shall have all the jurisdiction and powers which are or may hereafter be by law vested in the courts of county commissioners, boards of revenue, or other county governing bodies of this state except as otherwise in this act provided and the members thereof shall perform all the duties and services and exercise all the powers which are, or may be, provided by law for the members of courts of county commissioners, boards of revenue or other county governing bodies of this State.

Section 5. The President of the Board shall be its presiding officer and shall have the same powers and authority as other members in passing upon all questions, and shall sign the minutes of the proceedings of the board, and shall sign all warrants drawn on the county treasurer, unless in the event of his disability some other member of the board shall be designated by an appropriate resolution of the Board so to do, and it shall be his duty to receive and prepare business and obtain information for the session of said Board, and to see to the execution of all orders thereof, and to report to the Board all infractions of the revenue law in said county of which he can obtain authentic information. He shall exercise all the powers and perform all the duties required of the probate judge or presiding officer as to matters coming before the court of county commissioners. He shall devote his full time to the duties of his office.

Section 6. Each Associate Member shall devote his full time to the duties of his office and shall be responsible for and supervise the construction, maintenance and condition of county roads and bridges in his district and see that the same are kept in repair and improved.

Section 7. A majority of the Board shall have the right to designate Farm-to-Market and State-Aid Roads and employ the personnel of the county. No member of the Board shall be eligible to vote on the employment or compensation of any person related to him by blood or marriage.

Section 8. By appropriate resolution or action of the Board provisions shall be made for providing for each member of the Board transportation required by him, in and only in, the official discharge of the duties of his office, and necessary for the proper discharge of such duties.

Section 9. The board shall on all purchases for the county in excess of \$300.00 and for not more than \$1,000.00 receive publicly, competitive bids therefor after due notice, by posting at the courthouse door for at least five days prior thereto of the proposed purchase and a brief specification thereof. For all purchases in excess of \$1,000.00, like advertisements shall be given at least one time in a newspaper of general circulation in the county. The provisions of this section contained shall not apply if purchases are made through any legally constituted state purchasing agency by whatever name or designation the same may be known.

Section 10. The Board shall hold at least one public meeting weekly, at a regularly designated time which shall not be changed by the Board on less than two weeks' notice; and the Board shall keep complete and accurate written minutes of all meetings, business transacted and resolutions, and there shall be recorded therein the vote of each individual member and at each said meeting the minutes of the previous meeting shall be read and all such minutes shall be open to public inspection at reasonable times.

Section 11. The salary of the President of the Board shall be \$6,500.00, per annum, and the salaries of each Associate Member shall be \$6,000.00 per annum, all payable in equal monthly installments on the last day of each month out of the funds of the county. Neither the President nor the Associate Members of the board shall be entitled to any ex officio fees or charges or additional compensation. The compensation provided in this section shall constitute the full and complete compensation which the President and Associate Members of the Board shall be entitled to receive for their services.

Section 12. All local acts pertaining to the organization, duties and jurisdiction of the Board of Revenue of Etowah County are hereby repealed, but the Act to establish a county depository in lieu of a county treasurer for Etowah County passed and approved June 3, 1935; 1953 Local Acts, page 34, is not repealed and is continued in effect and full force.

Section 13. Section 3 of this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, and the remainder shall become effective on the day after the general election held in November, 1956.

GEORGE C. HAWKINS,  
E. K. HANBY, JR.  
E. L. ROBERTS.

June 22, 29. July 6, 13.

STATE OF ALABAMA  
ETOWAH COUNTY

Before me, Walter Betz, a Notary Public, in and for said County, in said State, personally appeared Thomas R. Williams, Jr., who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That he is Credit Manager of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising:

That, as such employee, he has knowledge of the facts hereinafter stated, and that he is authorized by said, the Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice, which notice was printed in The Gadsden Times in its regularly circulated editions on June 22nd, June 29th, and July 6, 13, 1955, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appeared in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 1st day of August, 1955.

THOMAS R. WILLIAMS, JR.

Subscribed and sworn to before me on this the 1st day of August, 1955.

WALTER BETZ,  
Notary Public, Etowah County, Alabama.

By Messrs. Hawkins and Hanby:

H. 877. Relating to Counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census, authorizing the governing body of every such County to provide for a Chief Clerk and assistant Chief Clerk in the Circuit Court and for a Chief Clerk in the County Court of the County.

Local Legislation No. 1.

By Messrs. Hanby and Hawkins:

H. 878. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent decennial federal census; authorizing the court of county commissioners, board of revenue, or like governing body of any such county to levy additional privilege license and excise taxes for hospital purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

Local Legislation No. 1.

By Mr. Hawkins:

H. 879. To amend an Act approved July 10, 1940, entitled "An Act to provide for the distribution of the 1940 Code of Alabama, abridgments, editions or portions thereof; to provide for the conservation of sets distributed; to authorize the sale thereof and to provide an appropriation to carry out the purposes of this Act" (Act No. 650, S. 498, General Acts of Alabama, 1939, p. 1023).

Judiciary.

By Mr. Hawkins:

H. 880. To amend Act No. 699 approved September 17, 1953.

Judiciary.

By Messrs. Nice, Meeks, Vacca, Edwards (Jefferson), Kaul, Perry and Lackey:

H. 881. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

Local Legislation No. 2.

By Messrs. Meeks, Edwards (Jefferson), Nice, Vacca, Kaul, Perry and Lackey:

H. 882. To authorize the governing body of any and every municipality in any county in this state which county may now or hereafter have a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States to adopt and provide by ordinance for the maintenance of a comprehensive zone map or maps of such municipality, and its Police Jurisdiction over which it exercises zoning jurisdiction, and to make such zoning map or maps a part of any ordinance by reference thereto in such ordinance without publication of such zone map or maps in any newspaper.

Local Legislation No. 2.

By Messrs. Meeks, Perry, Vacca, Edwards (Jefferson), Nice and Lackey:

H. 883. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail. The provision of this act shall apply in all counties having a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States.

Local Legislation No. 2.

By Mr. Meeks:

H. 884. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail.

Ways and Means.

By Messrs. Harvey and Martin:

H. 885. To amend Sections 364 and 366 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Ways and Means.

By Messrs. Harrison, Kendall, Dement, Summerlin, Pirkle, Ashworth, Oden, Solomon, Lee (Lawrence), Meeks, Vacca, Gilchrist, Kelly, Perry, Hodges, Selman, Adams, Lee (Barbour), Jenkins, Hunt, McClendon, Pruitt, Crook, Gregory, Reynolds, Gist, Speaks, Grouby, Faulk, Johnson (Elmore), Cox, Franklin, Hain, Hardy, Molette, Lackey, Shumate, Albea, Haltom, McLendon, Love, Boyd, Brooks, Bassett, Brannan, Killough, Wood, Holliman, Kirkham, Nettles, Taylor, Oakley, McNider, Johnson (Tallapoosa) and Stokes:

H. 886. To provide for the transfer of all surplus in the State Treasury to the credit of the Alabama Special Educational Trust Fund, after the payment of all appropriations made or hereafter made payable from said fund during the fiscal year ending September 30, 1955, to the Alabama Special Educational Trust Fund Surplus Account: To provide that said funds be used exclusively for increase of the salaries of the teachers in the public school system, the institutions of higher learning and the trade schools; To provide the method of distribution and payment thereof, and to repeal Act No. 813, Approved September 19, 1953.

Ways and Means.

By Messrs. Haltom and Broadfoot (with notice and proof):

H. 887. Relating to Lauderdale County; providing for the payment by the county of a salary to one duly appointed deputy register of the Circuit Court of Lauderdale County which shall be fixed by the governing body of the county in an amount not to exceed a stated sum.

Local Legislation No. 1.

Notice and Proof H. 887:

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Lauderdale County; providing for the payment by the county of a salary to one duly appointed deputy register of the Circuit

Court of Lauderdale County which shall be fixed by the governing body of the county in an amount not to exceed a stated sum.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. One duly appointed deputy register of the Circuit Court of Lauderdale County shall receive a salary which shall be fixed by the governing body of Lauderdale County in an amount not to exceed eighteen hundred dollars (\$1,800.00) per annum, payable in twelve equal monthly installments out of the Treasury of the county upon the warrant of the County governing body.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Milton C. Grisham  
State Senator  
Robert H. Broadfoot  
Representative  
E. B. HALTOM, JR.  
Representative

6-7; 7-7, 14, 21.

**PROOF OF PUBLICATION**

**STATE OF ALABAMA  
COUNTY OF LAUDERDALE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. May, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was **Managing Editor of the Florence Herald**, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

**H. S. MAY.**

Sworn to and subscribed before me August 4, 1955.

**MARY B. LEWIS,**  
Notary Public.

By Messrs. Broadfoot and Haltom (with notice and proof):

H. 888. Relating to Lauderdale County; providing for the compensation of the chief deputy sheriff for Lauderdale County.

**Local Legislation No. 1.**

Notice and Proof H. 888:

**STATE OF ALABAMA  
COUNTY OF LAUDERDALE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to Lauderdale County; providing for the compensation of the chief deputy sheriff for Lauderdale County.



## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The salary of the chief deputy sheriff of Lauderdale County shall be fixed by the governing body of Lauderdale County in an amount not to exceed four thousand two hundred dollars (\$4,200.00) per annum, payable in twelve equal monthly installments out of the Treasury of the County upon the warrant of the county governing body.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Milton C. Grisham  
State Senator  
Robert H. Broadfoot  
Representative  
E. B. HALTOM, JR.  
Representative

6-30, 7-7, 14, 21.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. May, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Managing Editor of the The Florence Herald, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

H. S. MAY.

Sworn to and subscribed before me August 4, 1955.

MARY B. LEWIS,  
Notary Public.

By Messrs. Callahan, Nice and Speaks:

H. 889. To amend Act No. 63, H. 49, approved June 3, 1953 (Acts of the 1953 Regular Session, Vol. I, p. 94), which provides old age assistance to certain teachers.

Ways and Means.

By Messrs. Callahan, Speaks and Nice:

H. 890. To provide for the election of an additional member of the board of control of the Teachers' Retirement System.

Ways and Means.

By Mr. Shumate:

H. 891. To amend further Section 460 of Title 51, Code of Alabama (1940), which relates to the license fee payable by attorneys.

Judiciary.

By Mr. Ferrell:

H. 892. Proposing an amendment to the Constitution of Alabama to fix the term of office of every state and county officer who holds office by election.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Ferrell:

H. 893. Proposing an amendment to the Constitution of Alabama to fix the term of office of every state and county officer who holds office by election.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Ferrell (with notice and proof):

H. 894. To abolish the DeKalb County Board of Revenue, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a County Commission to be known as DeKalb County Commission. To provide for the election of the members of said Commission, to fix their time of office, to define the powers and duties of such Commission and to fix the compensation of the members thereof.

Local Legislation No. 1.

Notice and Proof H. 894:

### NOTICE

STATE OF ALABAMA,  
DEKALB COUNTY.

Notice is hereby given that at the present (1955) regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to wit:

### A BILL TO BE ENTITLED AN ACT

To abolish the DeKalb County Board of Revenue, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama a County Commission, to be known as DeKalb County Commission; to provide for the election of the members of said Commission, to fix their time of office, to define and prescribe the powers and duties of such Commission and its members and to fix the compensation of the members thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That the DeKalb County Board of Revenue as created by Local Act No. 255, Page 147, 1939, Local Acts of the Legislature of Alabama be and is hereby abolished.

SECTION 2. There is hereby created and established in and for the County of DeKalb in the State of Alabama, a County Commission to be known as DeKalb County Commission and to be composed of five members, all of whom shall be qualified electors of said County and of their respective districts, as hereinafter set forth.

SECTION 3. That for the purpose of this Act and the enforcement thereof, the said County of DeKalb is hereby divided into four subdivisions to be known as districts and numbered respectively from one to four both inclusive and the boundaries and numbers of each district shall be as formerly under the DeKalb County Board of Revenue of said County.

SECTION 4. S. H. Bruce is hereby designated, declared and appointed from District No. 1, and he shall be and become a member of

the said County Commission from said district and his term of office shall begin October 1, 1955, and he shall hold office until the first Tuesday after the second Monday in January, 1959, and until his successor is elected and qualified. J. L. Tumlin is hereby designated, declared and appointed from District No. 2, and he shall be and become a member of the County Commission from the said district and his term of office shall begin October 1, 1955, and he shall hold office until the first Tuesday after the first Monday in January, 1959, and until his successor is elected and qualified. Houston Tumlin is hereby designated, declared and appointed from District No. 3, and he shall be and become a member of the County Commission from said District and his term of office shall begin October 1, 1955, and he shall hold office until the first Tuesday after the second Monday in January, 1959, and until his successor is elected and qualified. Abe Hendrix is hereby designated, declared and appointed from District No. 4, and he shall be and become a member of the County Commission from the said district and his term of office shall begin October 1, 1955, and he shall hold office until the first Tuesday after the second Monday in January, 1959, and until his successor is elected and qualified. A. J. Lindsey is hereby designated, declared and appointed President of said County Commission, and his term of office shall begin October 1, 1955, and he shall hold office until the first Tuesday after the second Monday in January, 1959, and until his successor is elected and qualified.

SECTION 5. There shall be elected on the first Tuesday after the first Monday in November, 1958, and every fourth year thereafter, by the qualified voters of the entire county, the President of the County Commission and from each of said districts there shall be elected by the qualified voters of the entire County as above provided, on the first Tuesday after the First Monday in November, 1958, and every fourth year thereafter, members of the County Commission running from their respective districts and shall be bona fide residents and qualified electors in the districts for which they are seeking election, and upon their election, shall hold office for a period of four years and until their successors are elected and qualified.

SECTION 6. The members of the County Commission shall be nominated by the voters who are authorized by law to participate in any primary election, caucus or convention held or called by any political party for nomination of such officers as may be authorized by law, and the members of the County Commission from the several districts shall be nominated by the qualified electors from their respective districts and the laws of this State relative to primary elections shall apply.

SECTION 7. The president of the County Commission shall be a resident of said County continuously during his term of office and each member of said Commission shall be a resident of the district for which he is elected and shall reside in said district continuously during his term of office.

SECTION 8. That the compensation of the President of the County Commission shall be Four Thousand Eight Hundred Dollars (\$4,800.00) per annum and the associate members' compensation shall be the sum of Three Thousand Six Hundred Dollars (\$3,600.00) each, per annum and shall be payable in equal monthly installments out of the general fund of the County.

SECTION 9. The County Commission shall have the power and authority to direct and control the property of the County as it may deem expedient according to law; to levy general tax, and special taxes for particular county purposes; to examine, settle and allow

accounts and claims chargeable against the County; to examine and audit the accounts of all officers having the care, management, collecting or disbursements of monies belonging to the County, or appropriated for its use and benefits to audit and allow all claims for charges and expenses for all county officers; to have exclusive control of all county roads and sole right and authority to bind the County in any contract for the payment of money, and the members of the County Commission shall devote their entire time to the duties of the Commission during the terms for which they were elected.

SECTION 10. The DeKalb County Commission shall have all the jurisdiction and powers which are or may hereafter be by law vested in Courts of County Commissioners or Boards of Revenue of this state and the members thereof shall perform all the duties and services and exercise all the powers which are or may be provided by law for members of Courts of County Commissioners or Boards of Revenue of this State.

SECTION 11. The president of the DeKalb County Commission shall be its presiding officer, and shall have the same power and authority as other members in passing upon all questions, and shall sign the minutes of the proceedings of the Commission, and shall sign all warrants drawn on the County Treasurer, and shall be the County Treasurer, and shall sign all orders for the payment or disbursement of money or funds of DeKalb County, and it shall be his duty to receive and prepare business and obtain information for the sessions of the said Commission and to see to the execution of all orders thereof, and to report to the Commission all infractions of the Revenue laws in DeKalb County of which he can obtain authentic information. He shall exercise all the powers and perform all the duties required of Probate Judges as to matters coming before the County Commission.

SECTION 12. The DeKalb County Commission shall have power and authority to employ a chief clerk and as many assistant clerks as are necessary for the convenient and orderly transaction of the business of the Commission, fix and determine the amount of compensation to be paid such clerk and assistants as in the discretion of the Commission shall be reasonable compensation for services required for such chief clerk and assistants.

SECTION 13. A majority of the DeKalb County Commission shall constitute a quorum for the transaction of business and no funds belonging to the County shall be drawn or paid out except as authorized by the Commission and a proper list and registry of all sums drawn or paid out, and of the nature of the claim and of the person in whose favor drawn or paid out shall be kept by either the president or clerk of said board and shall be open to the public.

SECTION 14. The DeKalb County Commission shall do and perform all acts and services and shall execute all the powers and functions which are now or hereafter by law required or authorized of Commissioners Courts of Boards of Revenue and shall be subject to the same privileges and penalties.

SECTION 15. The DeKalb County Commission may employ a competent Engineer and as many assistants as it may deem advisable or expedient for the efficient management of the roads and highways of DeKalb County and may fix the compensation of such employees and prescribe their duties and may discharge any employee without giving any reason therefor.

SECTION 16. The DeKalb County Commission shall hold regular meetings on each Monday in every week and may hold special meetings

at any time on the call of the president of the Commission or of three members of the Commission entered in writing on the minutes of the Commission.

SECTION 17. Should any vacancy occur in the DeKalb County Commission such vacancy shall be filled by appointment of the Governor of the State of Alabama for the unexpired term.

SECTION 18. Should any section or part of this Act be declared unconstitutional the other parts of the Act shall, nevertheless remain in full force and effect.

SECTION 19. This act shall become law upon its passage and approved by the Governor or its otherwise being enacted into law and shall become effective October 1, 1955.

SECTION 20. That all laws and parts of laws, general or special in conflict with the provisions of this Act be and the same are hereby repealed.

STATE OF ALABAMA  
DEKALB COUNTY

Before me, W. M. Beck, a Notary Public in and for said County in said State, personally appeared E. O. Davidson, who being by me first duly sworn, deposes and says: That he is publisher of the "Fort Payne Journal", which during the times herein mentioned was a newspaper of general circulation published in DeKalb County, Alabama, and that the foregoing notice was published without cost to the state of Alabama in said newspaper in the issues thereof, published on June 29, July 6, July 13, and July 20, 1955.

E. O. DAVIDSON.

Sworn to and subscribed before me this 2nd day of August, A. D., 1955.

W. M. BECK,  
Notary Public.

By Messrs. Bradford and McNider (with notice and proof):

H. 895. Relating to Clarke County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the Inferior Court of the county.

Local Legislation No. 1.

Notice and Proof H. 895:

LEGAL NOTICE

STATE OF ALABAMA,  
COUNTY OF CLARKE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Clarke County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the Inferior Court of the county.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Witnesses summoned and attending on behalf of the State in all criminal cases in the Inferior Court of Clarke County, created by Act No. 195, S. 572, approved July 24, 1947 (Local Acts, 1947, page 110), shall be allowed the same compensation, mileage, ferriage and toll prescribed under the general law for witnesses in such cases in county courts, but certificates shall be issued to them and their compensation paid in the manner hereinafter prescribed; provided such certificates are presented for payment within six months after issuance thereof. On failure to present such certificates within six months from their issuance claims for such witness' fees shall be forever barred.

Section 2. After the trial or continuance of a case for the term, of the discharge of the witness by the court, the clerk of the court, upon the application and on the oath of the witness, shall issue to him a certificate stating the number of days he has attended, the case in which he attended, the number of miles traveled, the necessary ferriage and toll, and the total amount due him.

Section 3. Immediately after the adjournment of the court for the term, the clerk shall enter in a book to be kept for that purpose a certified list of all the certificates issued by him during the term; showing to whom issued, the case in which each witness attended, and the amount due each witness. Upon the completion of said list said book shall be delivered to the clerk of the commissioners court to be kept by him.

Section 4. It shall be the duty of the county treasurer, depository, or ~~other custodian of county funds~~ to pay each of said certificates on its presentation by the owner thereof within six months after the issuance thereof, and to take up and cancel each one as it is paid. The county treasurer, depository, or other custodian of county funds is authorized and directed before each term of county court to retain out of the general fund of the county an amount sufficient to pay said certificates as herein provided.

Section 5: Whenever the costs in any criminal case in said court are imposed on the defendant or on the prosecutor the fees of witnesses for the state shall be taxed as costs against the person on whom they were imposed, as now provided by law; and when such witness fees are so collected they shall be paid by the officer collecting the same to the county treasurer, depository, or other custodian of county funds.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 14-4t

STATE OF ALABAMA,  
CLARKE COUNTY.

I, G. A. Carleton, do hereby certify that I am the publisher of The Clarke County Democrat, a newspaper published weekly in Clarke County, Alabama; and I do further certify that the attached notice was published in said newspaper once a week for four consecutive weeks

in those issues dated, respectively, July 7, 1955, July 14, 1955, July 21, 1955 and July 28, 1955.

G. A. CARLETON.

Subscribed and sworn to before me on this the 4th day of August, 1955.

JULIA M. HELMS,  
Notary Public, Clarke County, Alabama.

By Messrs. Bradford and McNider (with notice and proof):

H. 896. To further amend Section 7 of an Act entitled "An Act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 23, 1932, as amended by Act approved August 6, 1947.

Local Legislation No. 1.

Notice and Proof H. 896:

#### LEGAL NOTICE

Notice is hereby given that a bill will be introduced in the current session of the Legislature of Alabama, substantially as follows:

#### A BILL TO BE ENTITLED AN ACT

To further amend Section 7 of an Act entitled "An Act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 23, 1932, as amended by Act approved August 6, 1947.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 7 of an Act entitled "An act to provide for the election of a county Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 24, 1932, and heretofore amended by Act approved August 6, 1947, be and the same is hereby further amended to read as follows: Section 7. The annual salary of such Superintendent of Education shall be not less than fifty-four hundred dollars (\$5400.00), nor more than six thousand dollars (\$6000.00), which salary shall be fixed by the County Board of Education of Clarke County, Alabama, and shall be payable in equal monthly installments. In addition to his salary, fixed as herein provided, he shall

be allowed and paid the additional sum of Seventy-five Dollars (\$75.00) each month as constituting reimbursement for traveling expenses incurred in the performance of his duties.

Section 2. That this Act shall become effective on July 1, 1957. 10-4t

STATE OF ALABAMA,  
CLARKE COUNTY.

I, G. A. Carleton, do hereby certify that I am the publisher of The Clarke County Democrat, a newspaper published weekly in Clarke County, Alabama; and I do further certify that the attached notice was published in said newspaper once a week for four consecutive weeks in those issues dated, respectively, June 9, 1955, June 16, 1955, June 23, 1955 and June 30, 1955.

G. A. CARLETON,

Subscribed and sworn to before me on this the 4th day of August, 1955.

JULIA M. HELMS,  
Notary Public  
Clarke County, Alabama.

By Mr. Kelly (with notice and proof):

H. 897. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

Local Legislation No. 1.

Notice and Proof H. 897:

LEGAL NOTICE

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created the office of director of finance for Winston County.

Section 2. The director of finance, who must be a qualified elector of Winston County, shall be appointed by the Governor for a term of six years from a list of nominations submitted by the member of the Senate who represents Winston County, and the member of the House of Representatives from Winston County.

Section 3. The director of finance shall receive a total salary of five thousand dollars (\$5,000.00) per annum to be paid as follows: Two thousand five hundred dollars (\$2,500.00) per annum to be paid in equal monthly installments from the public road and bridge fund of the



county; one thousand seven hundred fifty dollars (\$1,750.00) per annum to be paid in equal monthly installments from the general fund of the county; and seven hundred fifty dollars (\$750.00) per annum to be paid in equal monthly installments from public school funds of the county.

Section 4. The court of county commissioners shall provide the director of finance with the office space, equipment, postage, and other supplies necessary for the performance of his duties as provided for by this Act.

Section 5. The director of finance shall have the authority to hire the assistants necessary to carry out the provisions of this Act. The compensation of such assistants shall be fixed by the director of finance, with the advice and consent of the highway board and the court of county commissioners. The compensation of each assistant shall be paid as follows: Fifty per cent of the total annual compensation of each assistant shall be paid in equal monthly installments from the public road and bridge fund of the county; thirty-five per cent of the total annual compensation of each assistant shall be paid in equal monthly installments from the general fund of the county; and fifteen per cent of the total annual compensation of each assistant shall be paid in equal monthly installments from the public school fund of the county.

Section 6. Before entering upon the discharge of his duties, the director of finance must give bond in the sum of twenty-five thousand dollars (\$25,000.00), such bond to be payable to Winston County and conditioned as prescribed by law for faithful performance of his duties, and recorded in the office of the judge of probate. Any penalty or forfeiture accruing to Winston County under the terms of the bond shall be apportioned among the public road and bridge fund, the County general fund, and the public school fund in accordance with the amount of loss suffered by each fund as a result of any act, or the failure to act, on the part of the director of finance. The premium on such bond shall be paid as follows: One-third of the amount of the premium shall be paid from the public road and bridge fund of the county; one-third of the amount of the premium shall be paid from the general fund of the county; and one-third of the amount of the premium shall be paid from the public school funds of the county.

Section 7. The director of finance shall perform the following duties:

(1) He shall install, maintain, and keep all accounting and reporting records required by law to be kept by both the highway board and the court of county commissioners.

(2) He shall prepare and present to the highway board for approval, not later than the second Monday in August of each year, an estimate of the revenues anticipated and of the required expenses of the highway board for the next succeeding fiscal year.

(3) He shall prepare and present to the court of county commissioners for approval, not later than the second Monday in August of each year, an estimate of the revenues anticipated and of the required expenses for the several divisions of the county government for the next succeeding fiscal year.

(4) He shall require the adoption of a budget by the highway board, and upon the adoption of a budget by the highway board, he shall be responsible for the execution of the budget, so adopted and shall audit all claims and insure that all expenditures from the public road and bridge fund are made in strict compliance therewith.

(5) He shall require the adoption of a budget by the court of county commissioners, and upon the adoption of a budget by the court

of county commissioners, he shall be responsible for the execution of the budget so adopted, and shall audit all claims and insure that all expenditures of county funds are made in strict compliance therewith.

(6) He shall have direct control of, and responsibility for, all property of the county over which the highway board or court of county commissioners has authority, and he shall maintain and keep such property in repair at all times. All machinery, equipment, and other such property which is used in the construction and maintenance of county roads and bridges shall be kept in a central location designated by the director of finance, except when such machinery, equipment, or property is actually being used in the construction and maintenance of county roads and bridges.

(7) He shall maintain in a permanent record a perpetual inventory of all property of the county over which the highway board has authority, and he shall insure such property as the highway board may direct.

(8) He shall maintain in a permanent record a perpetual inventory of all property of the county over which the court of county commissioners has authority, and he shall insure such property as the court of county commissioners may direct.

(9) He shall receive and safely keep all funds of the county in their separate and proper accounts, as may be provided by law, in a depository designated by the court of county commissioners, and he shall disburse all funds of the county in the name of the highway board, or the court of county commissioners, as the case may be, on his signature as director of finance.

(10) He shall be charged with the safekeeping of all securities and investments of the county under the jurisdiction of either the highway board or the court of county commissioners, and shall have authority to rent, at the expense of the county and payable from the general fund of the county, ample and safe bank storage space to insure the safe keeping of such securities and investments.

(11) He shall, when he deems proper, examine or cause to be examined the accounts and records of any and all county offices from which revenue is derived; demand and receive all monies due the county from any such office; and institute proceedings for the recovery of money due the county against any defaulters.

(12) He shall, when he deems proper, examine or cause to be examined the accounts and records of any division of the county government disbursing or using county funds.

Section 8. The director of finance shall act as county custodian of school funds in the same manner and to the same extent as may be required by general law of county custodians of school funds.

Section 9. The director of finance is hereby charged with the duty of purchasing all supplies, materials, equipment and contractual services, excluding contracts for professional or other personal services, for Winston County which the highway board, court of county commissioners, and county board of education are authorized by law to purchase for use of the county. No purchases may be made for the use of the highway board or court of county commissioners, or for any office or department of the county government under the jurisdiction of either the highway board or court of county commissioners, except upon requisition signed by a majority of the members of the highway board or the court of county commissioners, as the case may be. No purchase for the use of the county board of education shall be made except upon requisition signed

by the county superintendent of education. The county superintendent of education, however, in the management and expenditure of county school funds, shall continue to be governed by all general and local laws applicable to him, except insofar as the provisions of this Act are applicable.

Section 10. The director of finance shall obtain at least three written, sealed, competitive bids for all purchases of supplies, materials, equipment and contractual services when the amount involved is five hundred dollars (\$500.00) or more. If the purchase involves an amount of less than five hundred dollars (\$500.00), the director of finance may make such purchases either upon the basis of sealed bids, or in the open market, in his discretion. It shall be a violation of this section to divide or otherwise adjust the quantity of a purchase to an amount less than five hundred dollars (\$500.00) for the purpose of evading the requirements of this section. Invitations for bids shall be posted on a bulletin board in the county court house and sent to prospective suppliers at least one week before the final date for submitting bids. Bids shall be opened publicly by the director of finance at the time and place stated in the invitations. The director of finance shall award the purchase to the lowest responsible bidder, or, if the public interest is best served thereby, he may reject all bids and purchase in the open market, if the price paid in the open market does not exceed that of the lowest responsible bidder. All bids, with the names of the bidders, shall be entered on a permanent record, and each record, with the successful bid indicated thereon, and with the reasons for the award if not awarded to the lowest bidder, shall, after the award of the order or contract, be open to public inspection. Preference shall be given to supplies, materials, and equipment produced or sold in Winston County, provided there is no loss in price or quality.

Section 11. The director of finance shall obtain information from the division of purchases and stores of the state department of finance relative to the items to be purchased by competitive bids; and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated through the division of purchases and stores.

Section 12. In an emergency, a purchase may be made without competitive bids and without obtaining information from the division of purchases and stores. However, a full written account of the circumstances necessitating any such emergency purchase, together with a statement describing the item purchased and naming the vendor from whom the item was purchased shall be at once prepared by the director of finance and filed in his office. The provisions of this Act regarding competitive bidding and obtaining information from the division of purchases and stores may be waived for purchases of perishable commodities, utility services, and commodities and services for which there is no competitive situation.

Section 13. In the event of the sale, trade, or other disposition of any property of any kind or nature over which the highway board, court of county commissioners, or county board of education has authority, the director of finance shall follow the procedure outlined in this Act as it relates to the obtaining of written, sealed, competitive bids, and the sale, trade, or other disposition of such property shall be made in accordance with the most advantageous offer made for such property. In the event any such property is sold, traded, or otherwise disposed of, all bids, with the names of the bidders, shall be entered on a permanent record, and the record shall be open to public inspection.

Section 14. The court of county commissioners shall designate as the county depository an incorporated bank in Winston County, and all

funds of the county, including public school funds, shall be placed in the depository so designated. The designation of the county depository, and the management of county funds in the depository shall be made in the manner provided for by general law, except as otherwise provided for by this Act. All warrants drawn upon the depository, except for warrants drawn upon public school funds, must be signed by the director of finance, who shall be liable for any warrant drawn and paid by the depository from any funds, except public school funds, without the authority of law.

Section 15. The highway board, the court of county commissioners, and the county board of education shall continue to have the same powers and duties as provided by law, except as otherwise provided for by this Act.

Section 16. The office of the treasurer of the highway board, and the office of the county treasurer, are both hereby abolished. All books, records, equipment, supplies and other property under the authority and supervision of the treasurer of the highway board and the county treasurer shall immediately be transferred to the office of the director of finance upon the appointment of a director of finance.

Section 17. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 18. All laws or parts of laws which conflict with this Act are repealed.

Section 19. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

FA-12-21-28-1-4-11

#### PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,  
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of the Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 21st day of December, 1954, and the last copy of said publication appearing in the said paper on the 11th day of January, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 3rd day of August, 1955.

R. J. THORNTON,  
Notary Public.

By Messrs. Reynolds, Thomas, Roberts and Lee (Lawrence):

H. 898. To amend Section 728, as amended, Title 51, Code of Alabama 1940.

Ways and Means.

By Messrs. Martin and Ramey:

H. 899. To amend further Act No. 173, H. 311, approved June 23, 1945, which established the State Department of Veterans' Affairs (Acts, 1945, pp. 304-312).

Military Affairs.

By Messrs. Murphy and Simon (with notice and proof):

H. 900. To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

Local Legislation No. 1.

Notice and Proof H. 900:

### LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced at the 1955 Regular Session of the Alabama Legislature:

### A BILL TO BE ENTITLED AN ACT

To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALABAMA:

Section One: The boundaries of the City of Mobile are hereby so altered, rearranged and fixed as to be as follows:

Commencing at the intersection of the West Harbor Line of Mobile River and the Township Line between Township 3 South and Township 4 South; thence Eastwardly along said Township Line to the point where the same intersects the East Boundary Line of Mobile County; thence Southwardly along said Mobile County Boundary Line to the point where the same passes under the Tensaw River Bridge on U. S. Highway 90; thence due South to the point of intersection with the Township Line between Township 4 South and Township 5 South; thence Westwardly along said Township line between Township 4 South and Township 5 South to the point where the same intersects the North right-of-way line of the Louisville and Nashville Railroad; thence Southwestwardly along the North right-of-way line of the Louisville and Nashville Railroad to the West bank of Dog River; thence Northwardly along the West bank of Dog River to the North bank of Bolton Branch; thence Northwestwardly along the North bank of Bolton Branch to the Range line between Range 1 West and Range 2 West of the St. Stephens Meridian; thence due North along said Range line to the Township Line between Township 3 South and Township 4 South; thence Eastwardly along said Township Line to the point where the same intersects the center line of St. Stephens Road (U. S. Highway 45); thence Southeastwardly along the center line of St. Stephens Road to the point where the same intersects the South property line of Alley No. 1 (Prichard Lane); thence Northeastwardly along the South property line of Alley No. 1 (Prichard Lane) to a point where the same intersects the East property line of College Avenue; thence Southeastwardly along the East and North property line of College Avenue to the North property line of Sweeney's Lane; thence Southwestwardly along the North property line of Sweeney's Lane to the West bank of Toulmin's Branch; thence Southeastwardly along the West bank of Toulmin's Branch to a point directly West of the South boundary line of the City of Prichard; thence Eastwardly, Northerly and Eastwardly along the Prichard Boun-

dary line to the Southeast corner of the Craftview Court Subdivision; thence directly East to the point of intersection with the West boundary line of West Highlands Subdivision; thence Northwardly along the West boundary line of West Highlands Subdivision to the North boundary line of said subdivision; thence Eastwardly along the North boundary line of said subdivision to the West right-of-way line of Telegraph Road; thence Northwestwardly along said right-of-way line to the South right-of-way line of the Bay Bridge Road; thence Eastwardly along said South right-of-way line to the East right-of-way line of the Southern Railroad; thence Northwestwardly along the East right-of-way line of the Southern Railroad to the South boundary line of Paper Mill Road; thence Eastwardly and Southeastwardly along the South right-of-way line of Paper Mill Road to the point where the same intersects the East line of Section 34, Township 3 South, Range 1 West; thence Southwardly along said section line to the Township line between Township 3 South and Township 4 South and thence Eastwardly to the point of beginning at the intersection of said Township line and the Western shore line of Mobile River.

Section Two: This act shall be effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

Approved:  
M. THOMAS MURPHY,  
OTTO E. SIMON,  
GARET VAN ANTWERP.

Reg., July 14, 21, 28, Aug. 4

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama. and the attached notice appeared in the issue of The Mobile Register July 14, 21, 28, Aug. 4, 1955.

A. A. JOHNSON.

Sworn to and subscribed before me This 4th day of Aug., 1955.

GREG L. KENNY,  
Notary Public.

By Messrs. Murphy, Simon and Tyson (with notice and proof):

H. 901. To amend Section 2 of Act No. 637, H. B. 644, approved September 4, 1951, entitled "An Act to provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 901:

#### LEGAL NOTICE

STATE OF ALABAMA,  
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

#### A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 637, H. B. 644, approved September 4, 1951, entitled "An Act to provide for and fix the compensation and

duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama."

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. That Section 2 of Act No. 637, H. B. 644, approved September 4, 1951, be and the same is hereby amended to read as follows:

"That such Chief Clerk be paid a salary of not less than \$4800.00 per year nor more than \$5800.00 per year, payable in equal monthly installments."

Section 2. That this Act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

Approved:

M. THOMAS MURPHY

OTTO E. SIMON

JOHN M. TYSON

GARET VAN ANTWERP, 3rd

Register July 14, 21, 28, Aug. 4.

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 14, 21, 28, Aug. 4, 1955.

A. A. JOHNSON.

Sworn to and subscribed before me This 4th day of Aug., 1955.

GREG L. KENNY,  
Notary Public.

By Messrs. Summerlin, Taylor, Killough, Dickson and Brooks:

H. 902. To create a fund for the use of the circuit solicitor and the circuit judge of the second judicial circuit.

Ways and Means.

By Messrs. Simon, Murphy and Tyson (with notice and proof):

H. 903. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

Local Legislation No. 1.

Notice and Proof H. 903:

**LEGAL NOTICE**

STATE OF ALABAMA,  
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

**AN ACT**

To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. That the Clerk of the Circuit Court of Mobile County, Alabama, may employ at public expense one Clerk to serve as Clerk of

the Criminal Division of said Court to be known as the Chief Assistant to the Clerk of said Court and authorized to perform all of the official duties of the Clerk of said Court, who shall be an employee of the Clerk of said Court and as such may be discharged or otherwise dealt with by the Clerk of said Court in all respects as may be done between private employer and employee, such Chief Assistant to discharge the duties imposed upon him or her by law and by the Clerk of said Court.

Section 2. That such Chief Assistant shall be paid a salary of \$5400.00 per year, payable in equal monthly installments out of the Treasury of Mobile County, Alabama.

Section 3. That the Chief Assistant to the Clerk of said Court, provided for herein, before he or she enters upon his or her duties herein prescribed, must take the oath directed to be taken by the officers of this state, and give bond with surety, payable to the said Clerk of said Court, in such sum as he may prescribe. Upon this bond the said Chief Assistant to the Clerk of said Court shall be liable to the said Clerk of said Court in consequence of any act of misfeasance or malfeasance of such Chief Assistant in the duties of his or her office. Said bond must be approved by the said Clerk of said Court, and be filed and recorded in the office of the Judge of Probate for said County, and the premiums for said bond paid from funds of the Treasury for said County.

Section 4. That all laws, general, local or special, in conflict with the provisions of this Act are hereby repealed.

Section 5. This Act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Approved:

M. THOMAS MURPHY

OTTO E. SIMON

JOHN M. TYSON

GARET VAN ANTWERP, 3rd

Register July 14, 21, 28, Aug. 4.

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 14, 21, 28, Aug. 4, 1955.

A. A. JOHNSON.

Sworn to and subscribed before me This 4th day of Aug., 1955.

GREG L. KENNY,

Notary Public.

By Mr. Huddleston (with notice and proof):

H. 904. Relating to Colbert County: To abolish the office of County Commissioner of Public Schools; to establish and restore in Colbert County the office of County Superintendent of Education; to designate and appoint a County Superintendent of Education and fix his term of office; to provide for the election of his successor and successors; to provide for the term of office, qualifications, official bond, salary, compensation and allowances of the County Superintendent of Education; to define and prescribe the duties and functions of the County Superintendent of Education; to repeal Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, approved July 24, 1953, and all other laws and parts of laws in conflict with this Act; and to provide for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act.

Local Legislation No. 1.



Notice and Proof H. 904:

**NOTICE OF APPLICATION FOR LOCAL LAW**

Notice is hereby given that a local law applicable to Colbert County, Alabama, substantially as follows, will be applied for in the Legislature of Alabama:

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to Colbert County: To abolish the office of County Commissioner of Public Schools: to establish and restore in Colbert County the office of County Superintendent of Education; to designate and appoint a County Superintendent of Education and fix his term of office; to provide for the election of his successor and successors; to provide for the term of office, qualifications, official bond, salary, compensation and allowances of the County Superintendent of Education; to define and prescribe the duties and functions of the County Superintendent of Education; to repeal Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, approved July 24, 1953, and all other laws and parts of laws in conflict with this Act; and to provide for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor adoption of the provisions of this Act.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. That the office of County Commissioner of Public Schools created by Act No. 227 of the Legislature of Alabama of 1953, approved July 24, 1953, is hereby abolished and the office of County Superintendent of Education is hereby established and restored in Colbert County.

Section 2. That the County Superintendent of Education of Colbert County shall have the same powers and authority and perform the same duties and functions as are now conferred upon and required of a County Superintendent of Education by the laws of Alabama.

Section 3. That J. Troy Bozeman is hereby designated and appointed as County Superintendent of Education of Colbert County for a term to begin on the effective date of this act and to run until July 1, 1957, and until his successor is elected and qualified.

Section 4. That a County Superintendent of Education of Colbert County shall be elected at the general election to be held on the first Tuesday after the first monday in November, 1956, and at the general election every fourth year thereafter, by the qualified voters of Colbert County, and shall hold office for a term of four years, beginning on the first day of July following his election and until his successor is elected and qualified.

Section 5: That the County Superintendent of Education of Colbert County shall possess the same qualifications and shall receive the same salary, compensation and allowances as are now required of and provided for county superintendents of education by the law of Alabama: and his official bond shall be fixed and approved in the manner provided by Section 76 of Title 41 of the Code of Alabama of 1940, as amended.

Section 6: That Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, Alabama, approved July 24, 1953, and entitled "An Act Relating to Colbert County, abolishing the office of County Superintendent of Education, and creating the

office of County Commissioner of Public Schools in lieu thereof; providing for the election, term of office, duties and powers, and compensation of the County Commissioner of Public Schools, and conferring upon the Commissioner the power, duties and functions of the County School Building Commission," and all other laws and parts of laws in conflict herewith, be, and the same are hereby, repealed.

Section 7: Section 7 of this Act shall become effective upon the approval of this Act by the Governor, or its otherwise becoming a law, but the other provisions of this Act shall not become effective unless a majority of the qualified electors of Colbert County voting in the election hereinafter provided to be held in Colbert County shall vote to adopt the provisions of this Act.

A special election is hereby called and shall be held in Colbert County on the first Tuesday following the expiration of thirty days after the approval of this Act by the Governor, or its otherwise becoming a law. Notice of such election shall be given by the Sheriff of Colbert County not less than fifteen days before the date of said election. Except as herein otherwise provided, said election shall be held and conducted, the returns thereof made, the voters canvassed, the results declared, certificates given, and it shall be regulated in all respects, in accordance with the provisions of the law of Alabama relating to general elections.

On the ballot to be used at said election the question shall be: "Do you favor the adoption of the provisions of Act No. \_\_\_\_\_ of the Legislature of Alabama (H..... by Huddleston) approved \_\_\_\_\_ 1955?" (The appropriate numbers and date to be inserted).

If a majority of the votes cast at such election shall be in favor of the proposal to adopt the provisions of this Act, this Act shall become effective immediately upon the filing of the declaration of the result of the election in the office of the probate judge, but if a majority of the votes cast at such election shall be against said proposal, this Act shall have no effect.

1-27-4t.

#### STATE OF ALABAMA, COLBERT COUNTY.

Before me, a notary public in and for said state and county, this day, personally appeared, W. F. Miller, who being by me first duly sworn, deposes and says that he is the publisher of Colbert County Reporter, a newspaper of general circulation printed and published in Tusculumbia, Colbert County, Alabama; that the attached notice was published in Colbert County Reporter once a week for four consecutive weeks in the issues of January 27, February 3, 10 and 17, 1955.

W. F. MILLER

Sworn to and subscribed before me this 4th day of August, 1955.

FRANCES DIRAGO,  
Notary Public.

My commission expires May 12, 1957.

By Mr. Huddleston:

H. 905 (With Notice and Proof). To require the Board of Revenue of Colbert County to provide suitable office space with telephone serv-

ice for the Solicitor of the Colbert Law and Equity Court of Colbert County.

Local Legislation No. 1.

Notice and Proof H. 905:

### NOTICE

Notice is hereby given that application will be made to the legislature of Alabama, at its 1955 session, for the passage of an Act which is in substance as follows:

### AN ACT

To require the Board of Revenue of Colbert County to provide suitable office space with telephone service for the Solicitor of the Colbert Law and Equity Court of Colbert County.

### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Revenue of Colbert County is hereby authorized and will provide an office in the Court House of Colbert County, Alabama, or at such other suitable place as may be provided by the Board of Revenue of Colbert County, Alabama, or at such other suitable place as may be provided by the Board of Revenue of Colbert County, for and to be used by the Solicitor of the Colbert Law and Equity Court, and it shall be the duty of the Board of Revenue of Colbert County to provide such office with telephone service. The said office space as provided shall be subject to the approval of the said Solicitor of the Colbert Law and Equity Court.

Section 2. That all laws, both local and general, in conflict with this act be, and the same are, hereby repealed.

Section 3. That this act shall take effect immediately upon passage by the Legislature and approval by the Governor, or upon its otherwise becoming law.

### STATE OF ALABAMA, COLBERT COUNTY.

W. F. Miller personally appeared before me this 2nd day of August, 1955, and upon oath states that he is the publisher of Colbert County Reporter, a newspaper of general circulation in the city of Tuscumbia, County of Colbert, State of Alabama, and further declares that the above notice is a true copy which appeared in the said Colbert County Reporter on July 7, 14, 21 and 28, 1955.

W. F. MILLER

subscribed to and sworn before me this 2d day of August, 1955.

A. B. MURPHREE,  
Notary Public.

My Commission Expires September 25, 1955.

### MOTION IN WRITING

Mr. Dawkins offered the following Motion in Writing:

I move that H.B. 118 be removed from the adverse calendar, and placed on the regular calendar and call for ayes and noes.

## MOTION IN WRITING

Mr. Locke (Perry) offered the following Motion in Writing:

Mr. Speaker:

I move that consideration of the motion to take House bill 118 from the Adverse Calendar be postponed until the 33rd Legislative Day.

Mr. Dawkins moved to lay on the table the Motion in Writing offered by Mr. Locke (Perry) to postpone until the 33rd Legislative Day, consideration of the motion to take House bill 118 from the Adverse Calendar.

## MOTION TO RECESS LOST

The motion of Mr. Gilchrist to recess until 2:00 o'clock this afternoon was lost.

Yeas 6; Nays 83.

## Yeas:

Messrs.	Gilchrist	Holliman	Lee (Barbour)
Callahan	Goodwyn	Hunt	

—6

## Nays:

Mr. Speaker	DeSear	Johnson (Elmore)	Oden
Adams	Dickson	Johnson (Tallapoosa)	Payne
Albee	Edwards (Escambia)	Kaul	Perry
Ashworth	Edwards (Jefferson)	Kendall	Pirkle
Bassett	Faulk	Killough	Reynolds
Boyd	Ferrell	Kirkham	Roberts
Bradford	Franklin	Law	Selman
Brannan	Gist	Lee (Lawrence)	Shumate
Branyon	Gregory	Locke (Choctaw)	Solomon
Brassell	Grouby	Locke (Perry)	Speaks
Brewer	Hain	McClendon	Stembridge
Broadfoot	Hall	McLendon	Stokes
Brooks	Halton	McNider	Summerlin
Brown (Lamar)	Hanby	Martin	Taylor
Brown (Lee)	Hardy	Mathews	Thomas
Burkhalter	Harrison	Mathison	Tyson
Cox	Harvey	Meeks	Vacca
Crook	Hawkins	Molette	Ward
Davis	Hodges	Murphy	Windle
Dawkins	Huddleston	Nettles	Wood
Dement	Jenkins	Oakley	

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## MOTION TO ADJOURN LOST

The motion of Mr. Thomas to adjourn until Tuesday, August 9, 1955, at eleven o'clock A.M. was lost.

Yeas 21; Nays 70.

## Yeas:

Messrs.	Faulk	Hain	Kaul
Bradford	Franklin	Hardy	Kirkham
DeSear	Gilchrist	Holliman	Lackey

Lee (Barbour)	Pirkle	Summerlin	Ward
Love	Selman	Thomas	Windle
Perry	Solomon		

—21

**Nays:**

Mr. Speaker	Davis	Hunt	Molette
Adams	Dawkins	Jenkins	Murphy
Albea	Dement	Johnson (Elmore)	Nettles
Ashworth	Dickson	Johnson (Tallapoosa)	Nice
Bassett	Edwards (Escambia)	Kelly	Oakley
Boyd	Ferrell	Kendall	Oden
Brannan	Gist	Killough	Payne
Branyon	Goodwyn	Law	Reynolds
Brassell	Gregory	Lee (Lawrence)	Roberts
Brewer	Grouby	Locke (Perry)	Shumate
Broadfoot	Hall	McClendon	Speaks
Brooks	Haltom	McLendon	Stembridge
Brown (Lamar)	Hanby	McNider	Stokes
Brown (Lee)	Harrison	Martin	Taylor
Burkhalter	Harvey	Mathews	Tyson
Callahan	Hawkins	Mathison	Vacca
Cox	Hodges	Meeks	Wood
Crook	Huddleston		

—70

**MOTION TO ADJOURN LOST**

The motion of Mr. Gilchrist to adjourn until Tuesday, August 9, 1955, at twelve o'clock, noon, was lost.

Yeas 13; Nays 73.

**Yeas:**

Messrs.	Hain	Lee (Barbour)	Summerlin
Bradford	Hardy	Perry	Thomas
Faulk	Kaul	Selman	Windle
Gilchrist	Killough		

—13

**Nays:**

Mr. Speaker	Dawkins	Huddleston	Molette
Adams	Dement	Hunt	Murphy
Albea	DeSear	Jenkins	Nettles
Ashworth	Dickson	Johnson (Elmore)	Nice
Bassett	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Boyd	Ferrell	Kelly	Oden
Brannan	Franklin	Kendall	Payne
Branyon	Gist	Kirkham	Reynolds
Brassell	Gregory	Law	Roberts
Brewer	Grouby	Lee (Lawrence)	Simon
Broadfoot	Hall	Locke (Perry)	Speaks
Brooks	Haltom	Love	Stembridge
Brown (Lamar)	Hanby	McClendon	Stokes
Brown (Lee)	Harrison	McLendon	Taylor
Burkhalter	Harvey	McNider	Tyson
Callahan	Hawkins	Martin	Vacca
Cox	Hodges	Mathews	Ward
Crook	Holliman	Mathison	Wood
Davis			

—73

## MOTION TO TABLE ADOPTED

The motion of Mr. Dawkins to lay on the table the Motion in Writing offered by Mr. Locke (Perry) to postpone until the 33rd Legislative Day, consideration of the motion to take House bill 118 from the Adverse Calendar, was adopted.

Yeas 51; Nays 41.

## Yeas:

Messrs.	Davis	Hodges	Payne
Albea	Dawkins	Huddleston	Perry
Ashworth	deGraffenried	Johnson (Elmore)	Pirkle
Bassett	Edwards (Escambia)	Kelly	Reynolds
Boyd	Gilchrist	Kendall	Roberts
Brannan	Gist	Killough	Selman
Brassell	Gregory	Law	Shumate
Brewer	Grouby	Love	Simon
Broadfoot	Hall	Mathews	Speaks
Brooks	Haltom	Mathison	Stokes
Brown (Lamar)	Hanby	Murphy	Tyson
Burkhalter	Harrison	Nice	Vacca
Callahan	Hawkins	Oden	Wood

—51

## Nays:

Mr. Speaker	Faulk	Jenkins	Meeks
Adams	Ferrell	Johnson (Tallapoosa)	Molette
Bradford	Franklin	Kirkham	Nettles
Branyon	Goodwyn	Lee (Barbour)	Oakley
Brown (Lee)	Hain	Locke (Choctaw)	Solomon
Cox	Hardy	Locke (Perry)	Stembridge
Crook	Hare	McClendon	Summerlin
Dement	Harvey	McLendon	Taylor
DeSear	Holliman	McNider	Thomas
Dickson	Hunt	Martin	Windle
Edwards (Jefferson)			

—41

## MOTION LOST

And the Motion in Writing offered by Mr. Dawkins to remove H. B. 118 from the adverse calendar and place it on the regular calendar was lost.

Yeas 49; Nays 41.

## Yeas:

Messrs.	Burkhalter	Grouby	Mathews
Albea	Callahan	Haltom	Mathison
Ashworth	Cox	Hanby	Murphy
Bassett	Davis	Harrison	Nice
Brannan	Dawkins	Hawkins	Oden
Branyon	deGraffenried	Hodges	Payne
Brassell	Dement	Huddleston	Perry
Brewer	Edwards (Escambia)	Johnson (Elmore)	Pirkle
Broadfoot	Ferrell	Kelly	Reynolds
Brooks	Gist	Law	Selman
Brown (Lamar)	Gregory	Love	Shumate

Simon	Taylor	Vacca	Wood
Speaks	Tyson		

—49

Nays:

Mr. Speaker	Gilchrist	Kendall	Molette
Adams	Goodwyn	Killough	Nettles
Boyd	Hain	Kirkham	Oakley
Bradford	Hall	Lee (Barbour)	Roberts
Brown (Lee)	Hardy	Locke (Choctaw)	Solomon
Crook	Hare	Locke (Perry)	Stembridge
DeSear	Holliman	McClendon	Stokes
Nickson	Hunt	McLendon	Summerlin
Edwards (Jefferson)	Jenkins	McNider	Thomas
Faulk	Johnson (Tallapoosa)	Martin	Windle
Franklin			

—41

## POINT OF PERSONAL PRIVILEGE

Mr. Dawkins requested as a matter of personal privilege for Mr. Nolen that the Journal show that Mr. Nolen was absent when the motion to remove the bill, H. 118, from the adverse calendar and place it on the regular calendar was voted on. Mr. Nolen would like for the Journal to show that had he been present he would have voted "yea" on the motion.

## RESOLUTION

The following resolution was introduced:

By Mr. Kelly:

H.R. 60. Whereas the Representative from Winston County made certain pledges during his campaign for election to this body, and those pledges are reflected in certain local bills applicable to Winston County now pending in the Legislature, and

Whereas Winston County, historically, has almost always returned a Republican to its seat in this body, but the present Representative being a Democrat, there are no partisan questions involved in these bills; now therefore

Be it resolved by the House of Representatives: That this House hereby requests the Governor to advise with the Senator within whose district Winston County lies, and request the Senator to do all within his power in attempting to secure the passage of the local bills applicable to Winston County now pending in the Legislature.

Be it resolved further, that a duly authenticated copy of this resolution be transmitted by the Clerk of the House of Representatives to the Honorable James E. Folsom, Governor of the State of Alabama.

On motion of Mr. Kelly the rules were suspended and H.R. 60 was adopted.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested.

S.J.R. 61. Relative to naming Senate Bill 95.

Also:

S.J.R. 44. Relative to urging the State Commission on Interstate Co-operation to exert all effort and power to co-operate with other States in finding means to repeal existing trade barriers and prevent erection of future barriers to development of free flow of commerce and trade among the States.

Also:

S.J.R. 60. Relative to directing the Sect'y-Treas. of Employees' Retirement System to work with other named officials and the State Police Retirement Committee to develop proposed legislation that will improve the benefits from the Retirement System for State Policemen.

J. E. SPEIGHT,  
Secretary.

### SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

### MOTIONS LOST

Mr. Hawkins moved that the House recess until 2:00 o'clock this afternoon.

Mr. Oden offered as a substitute, a motion to adjourn until Tuesday, August 9, 1955, at nine o'clock A.M. and the motion was lost.

Yeas 19; Nays 66.

#### Yeas:

Messrs.	Ferrell	McNider	Richardson
Ashworth	Hain	Martin	Selman
Bradford	Hardy	Mathews	Shumate
Dement	Kelly	Oden	Thomas
Dickson	McKay	Pruitt	Windle

—19

#### Nays:

Mr. Speaker	Crook	Harvey	Lee (Barbour)
Adams	Davis	Hawkins	Lee (Lawrence)
Albea	deGraffenried	Hodges	Locke (Choctaw)
Bassett	DeSear	Holliman	Locke (Perry)
Boyd	Edwards (Escambia)	Huddleston	McClendon
Branyon	Edwards (Jefferson)	Hunt	McLendon
Brassell	Gilchrist	Jenkins	Meeks
Brewer	Gist	Johnson (Tallapoosa)	Molette
Broadfoot	Goodwyn	Kaul	Murphy
Brown (Lamar)	Gregory	Kendall	Nettles
Brown (Lee)	Haltom	Killough	Oakley
Burkhalter	Hanby	Kirkham	Payne
Callahan	Hare	Lackey	Perry
Cox	Harrison	Law	Reynolds



Roberts	Speaks	Summerlin	Vacca
Simon	Stembridge	Tyson	Wood
Solomon	Stokes		

—66

And the motion of Mr. Hawkins to recess until 2:00 o'clock this afternoon was lost.

Yeas 28; Nays 57.

**Yeas:**

Messrs.	Gregory	Jenkins	Murphy
Adams	Haltom	Kelly	Nice
Branyon	Hare	Kendall	Roberts
Callahan	Hawkins	Law	Simon
Crook	Hodges	Lee (Barbour)	Speaks
Edwards (Escambia)	Huddleston	McClendon	Stokes
Gilchrist	Hunt	McLendon	Summerlin
Goodwyn			

—28

**Nays:**

Mr. Speaker	deGraffenried	Kaul	Payne
Albea	Dement	Killough	Perry
Ashworth	DeSear	Kirkham	Pruitt
Bassett	Dickson	Lackey	Reynolds
Boyd	Edwards (Jefferson)	Lee (Lawrence)	Richardson
Bradford	Ferrell	Locke (Choctaw)	Selman
Brassell	Gist	Locke (Perry)	Shumate
Brewer	Hain	McKay	Solomon
Broadfoot	Hanby	McNider	Stembridge
Brooks	Hardy	Martin	Thomas
Brown (Lamar)	Harrison	Mathews	Tyson
Brown (Lee)	Harvey	Molette	Vacca
Burkhalter	Holliman	Nettles	Windle
Cox	Johnson (Tallapoosa)	Oakley	Wood
Davis			

—57

**BILLS ON THIRD READING**

H. 755. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

**Yeas:**

Mr. Speaker	Brewer	deGraffenried	Hain
Adams	Broadfoot	Dement	Haltom
Albea	Brooks	DeSear	Hanby
Ashworth	Brown (Lamar)	Dickson	Hardy
Bassett	Brown (Lee)	Edwards (Escambia)	Hare
Boyd	Burkhalter	Edwards (Jefferson)	Harrison
Bradford	Cox	Ferrell	Harvey
Branyon	Crook	Gilchrist	Hawkins
Brassell	Davis	Gregory	Hodges

Huddleston	Lee (Lawrence)	Nettles	Solomon
Hunt	Locke (Choctaw)	Nice	Speaks
Jenkins	Locke (Perry)	Oakley	Stembridge
Johnson (Elmore)	McClendon	Payne	Stokes
Johnson (Tallapoosa)	McKay	Pruitt	Summerlin
Kelly	McLendon	Reynolds	Taylor
Kendall	McNider	Richardson	Thomas
Killough	Martin	Roberts	Tyson
Kirkham	Mathews	Selman	Vacca
Lackey	Meeks	Shumate	Windle
Lee (Barbour)	Murphy	Simon	Wood

—80

And the bill:

H. 781. To provide for the election of a county superintendent of education of Lawrence County; to fix his term of office; to prescribe his salary and expenses, and the manner of payment; to define his qualifications, powers, and duties; and to provide for the election of his successors in office.

Was taken up.

Mr. Lee (Lawrence) offered the following amendment to the bill, H. 781:

Amendment of H. B. 781:

Amend Section 1 of the bill by striking out the word "master's", where the word appears in the third sentence of the section, and inserting in lieu thereof the word "bachelor's".

And the amendment was adopted.

Yeas 68; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Hunt	Nice
Adams	Edwards (Escambia)	Jenkins	Oakley
Ashworth	Edwards (Jefferson)	Johnson (Tallapoosa)	Payne
Bassett	Gilchrist	Kelly	Pruitt
Boyd	Gist	Killough	Reynolds
Bradford	Gregory	Kirkham	Roberts
Branyon	Hain	Lackey	Selman
Brassell	Haltom	Lee (Lawrence)	Simon
Brewer	Hanby	Locke (Choctaw)	Solomon
Broadfoot	Hardy	Locke (Perry)	Speaks
Brooks	Hare	McClendon	Stembridge
Brown (Lamar)	Harrison	McKay	Summerlin
Burkhalter	Harvey	McLendon	Taylor
Cox	Hawkins	Martin	Tyson
Davis	Hodges	Mathews	Vacca
Dement	Holliman	Murphy	Windle
DeSear	Huddleston	Nettles	Wood

—68

And said bill, H. 781, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

**Yeas:**

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Branyon

Brassell	Gregory	Killough	Oden
Brewer	Hain	Kirkham	Payne
Broadfoot	Haltom	Lackey	Pruitt
Brooks	Hanby	Lee (Barbour)	Reynolds
Brown (Lamar)	Hardy	Lee (Lawrence)	Roberts
Burkhalter	Hare	Locke (Choctaw)	Selman
Callahan	Harrison	Locke (Perry)	Simon
Cox	Harvey	McClendon	Solomon
Davis	Hawkins	McKay	Speaks
Dement	Hodges	McLendon	Summerlin
DeSear	Holliman	Mathews	Taylor
Dickson	Huddleston	Molette	Thomas
Edwards (Escambia)	Hunt	Murphy	Tyson
Edwards (Jefferson)	Jenkins	Nettles	Vacca
Gilchrist	Johnson (Tallapoosa)	Nice	Windle
Gist	Kelly	Oakley	Wood

—72

And the bill:

H. 808. Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Jenkins	Nice
Adams	Edwards (Escambia)	Johnson (Elmore)	Oakley
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Ashworth	Gilchrist	Kelly	Payne
Bassett	Gist	Killough	Reynolds
Boyd	Gregory	Kirkham	Roberts
Bradford	Hain	Lackey	Selman
Branyon	Haltom	Lee (Barbour)	Simon
Brassell	Hanby	Lee (Lawrence)	Solomon
Brewer	Hardy	Locke (Choctaw)	Speaks
Broadfoot	Hare	Locke (Perry)	Stembridge
Brooks	Harrison	McClendon	Summerlin
Brown (Lamar)	Harvey	McKay	Taylor
Burkhalter	Hawkins	McLendon	Thomas
Callahan	Hodges	Mathews	Tyson
deGraffenried	Holliman	Molette	Vacca
Dement	Huddleston	Murphy	Windle
DeSear	Hunt	Nettles	Wood

—72

And the bill:

H. 811. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any

subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Jenkins	Nice
Adams	Edwards (Escambia)	Johnson (Elmore)	Oakley
Albea	Edwards (Jefferson)	Johnson (Tallahassee)	Oden
Ashworth	Gilchrist	Kelly	Payne
Bassett	Gist	Killough	Reynolds
Boyd	Goodwyn	Kirkham	Roberts
Bradford	Gregory	Lackey	Selman
Branyon	Haltom	Lee (Barbour)	Simon
Brasseil	Hanby	Lee (Lawrence)	Solomon
Brewer	Hardy	Locke (Choctaw)	Speaks
Broadfoot	Hare	Locke (Perry)	Stembridge
Brooks	Harrison	McClendon	Summerlin
Brown (Lamar)	Harvey	McKay	Taylor
Burkhalter	Hawkins	McLendon	Thomas
Callahan	Hodges	Mathews	Tyson
deGraffenried	Holliman	Murphy	Windle
Dement	Huddleston	Nettles	Wood
DeSear	Hunt		

—70

And the bill:

H. 813. To provide an assistant coroner for counties having a population of not less than 80,000 nor more than 94,000 inhabitants according to the last or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

**Yeas:**

Mr. Speaker	Brassell	DeSear	Haltom
Adams	Broadfoot	Dickson	Hanby
Albea	Brooks	Edwards (Escambia)	Hardy
Ashworth	Brown (Lamar)	Edwards (Jefferson)	Hare
Bassett	Burkhalter	Gilchrist	Harvey
Boyd	Callahan	Gist	Hawkins
Bradford	deGraffenried	Gregory	Hodges
Branyon	Dement	Hain	Holliman

Huddleston	Lee (Lawrence)	Nettles	Speaks
Hunt	Locke (Choctaw)	Nice	Stembridge
Jenkins	Locke (Perry)	Oakley	Summerlin
Johnson (Elmore)	McClendon	Oden	Taylor
Johnson (Tallapoosa)	McKay	Payne	Thomas
Kelly	McLendon	Reynolds	Tyson
Killough	McNider	Roberts	Vacca
Kirkham	Mathews	Selman	Windle
Lackey	Molette	Simon	Wood
Lee (Barbour)	Murphy	Solomon	

—71

And the bill:

H. 823. To authorize the governing body of any County in the State of Alabama having a population of at least 125,000 people and not more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indigent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Branyon	deGraffenried	Gilchrist
Adams	Brassell	Dement	Gist
Albea	Broadfoot	DeSear	Goodwyn
Ashworth	Brooks	Dickson	Gregory
Bassett	Brown (Lamar)	Edwards (Escambia)	Hain
Boyd	Burkhalter	Edwards (Jefferson)	Haltom
Bradford	Callahan	Ferrell	Hanby

Hardy	Lackey	Murphy	Simon
Hare	Lee (Barbour)	Nettles	Solomon
Harvey	Lee (Lawrence)	Nice	Speaks
Hawkins	Locke (Choctaw)	Oakley	Stembridge
Hodges	Locke (Perry)	Oden	Summerlin
Huddleston	McClendon	Payne	Taylor
Hunt	McKay	Pruitt	Thomas
Jenkins	McLendon	Reynolds	Tyson
Johnson (Elmore)	McNider	Roberts	Vacca
Johnson (Tallapoosa)	Martin	Selman	Windle
Kelly	Mathews	Shumate	Wood
Killough	Molette		

—74

And the bill:

H. 827. Relating to counties having a population of not less than 63,750 nor more than 72,750; Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Elmore)	Oden
Adams	Ferrell	Johnson (Tallapoosa)	Payne
Albea	Gilchrist	Kendall	Pruitt
Ashworth	Gist	Killough	Reynolds
Bassett	Goodwyn	Kirkham	Roberts
Boyd	Gregory	Lackey	Selman
Bradford	Hain	Lee (Lawrence)	Shumate
Branyon	Haltom	Locke (Choctaw)	Simon
Brassell	Hanby	Locke (Perry)	Solomon
Broadfoot	Hardy	McClendon	Speaks
Brooks	Hare	McKay	Stembridge
Brown (Lamar)	Harvey	McLendon	Summerlin
Burkhalter	Hawkins	McNider	Taylor
Callahan	Hodges	Martin	Thomas
Cox	Holliman	Mathews	Tyson
Dement	Huddleston	Murphy	Vacca
DeSear	Hunt	Nettles	Windle
Edwards (Escambia)	Jenkins	Oakley	Wood

—72

And the bill:

H. 829. To propose an amendment to the Constitution of Alabama relating to the filling of vacancies in certain county offices in Wilcox County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Branyon

Brassell	Hain	Lackey	Oden
Brewer	Haltom	Lee (Barbour)	Payne
Brooks	Hanby	Lee (Lawrence)	Pruitt
Brown (Lamar)	Hardy	Locke (Choctaw)	Reynolds
Brown (Lee)	Hare	Locke (Perry)	Selman
Burkhalter	Harvey	McClendon	Simon
Callahan	Hawkins	McKay	Solomon
Cox	Hodges	McLendon	Speaks
deGraffenried	Holliman	McNider	Stembridge
Dement	Hunt	Martin	Summerlin
Edwards (Escambia)	Jenkins	Mathews	Taylor
Edwards (Jefferson)	Johnson (Elmore)	Murphy	Thomas
Gilchrist	Johnson (Tallapoosa)	Nettles	Tyson
Gist	Kendall	Nice	Vacca
Goodwyn	Killough	Oakley	Wood
Gregory	Kirkham		

—70

And the bill:

H. 830. To propose an amendment to the Constitution of Alabama relating to the levy and collection of additional property taxes in Winston County for public school purposes and for public hospital and health purposes; authorizing the county, or any public corporation designated as the agency of the county for the purpose of acquiring, constructing, equipping, maintaining and operating hospital and public health facilities to anticipate one-half of the tax levied for public hospital and health purposes and issue interest bearing tax anticipation bonds, warrants or certificates of indebtedness of said county payable solely from and secured by a pledge of one-half of the annual proceeds of such tax.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 1.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Adams	Ferrell	Kelly	Payne
Albea	Gilchrist	Kendall	Pruitt
Ashworth	Gist	Killough	Reynolds
Bassett	Goodwyn	Kirkham	Richardson
Boyd	Gregory	Lackey	Selman
Bradford	Hain	Lee (Lawrence)	Shumate
Branyon	Haltom	Locke (Choctaw)	Simon
Brassell	Hanby	Locke (Perry)	Solomon
Brewer	Hardy	McClendon	Speaks
Broadfoot	Hare	McKay	Stembridge
Brooks	Harvey	McLendon	Summerlin
Brown (Lee)	Hawkins	McNider	Taylor
Burkhalter	Hodges	Mathews	Thomas
Callahan	Holliman	Money	Tyson
Cox	Huddleston	Murphy	Vacca
deGraffenried	Hunt	Nettles	Windle
Dement	Jenkins	Oakley	Wood
Edwards (Escambia)	Johnson (Elmore)		

—74

Nays: Mr. Brown (Lamar).

—1

And the bill:

S. 191. To amend Section 1 of Act No. 86, approved June, 15, 1953, entitled An Act: "To amend Section 2 of Act No. 462, approved September 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing clerical assistance and office space to him."

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kelly	Oden
Adams	Edwards (Jefferson)	Kendall	Payne
Albea	Ferrell	Killough	Pirkle
Ashworth	Gilchrist	Kirkham	Pruitt
Bassett	Gist	Lackey	Reynolds
Boyd	Goodwyn	Lee (Barbour)	Richardson
Bradford	Gregory	Lee (Lawrence)	Selman
Branyon	Hain	Locke (Choctaw)	Shumate
Brassell	Haltom	Locke (Perry)	Simon
Brewer	Hanby	McClendon	Solomon
Broadfoot	Hardy	McLendon	Speaks
Brooks	Harvey	McNider	Stembridge
Brown (Lamar)	Hawkins	Martin	Summerlin
Brown (Lee)	Holliman	Mathews	Taylor
Burkhalter	Huddleston	Money	Thomas
Callahan	Hunt	Murphy	Tyson
Cox	Jenkins	Nettles	Vacca
deGraffenried	Johnson (Elmore)	Nice	Windle
Dement	Johnson (Tallapoosa)	Oakley	Wood

—76

And the bill:

H. 817. TO provide that any territory which may be annexed to any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census shall continue to be subject to the county, town or city zone classifications as such territory was subject at the time of annexation, until such territory shall have been zoned by such city or until the expiration of one year after the date of such annexation, whichever shall first occur.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Brooks	Gist	Hawkins
Adams	Brown (Lamar)	Goodwyn	Hunt
Ashworth	Burkhalter	Gregory	Jenkins
Bassett	Callahan	Hain	Johnson (Elmore)
Boyd	deGraffenried	Haltom	Johnson (Tallapoosa)
Bradford	Dement	Hanby	Kaul
Branyon	Edwards (Escambia)	Hardy	Kelly
Brassell	Edwards (Jefferson)	Hare	Kendall
Brewer	Gilchrist	Harvey	Killough



Lackey	Mathews	Pirkle	Solomon
Lee (Lawrence)	Meeks	Pruitt	Speaks
Locke (Choctaw)	Money	Reynolds	Stembridge
Locke (Perry)	Nettles	Richardson	Stokes
McClendon	Oakley	Roberts	Taylor
McKay	Oden	Selman	Tyson
McLendon	Payne	Shumate	Windle
McNider	Perry	Simon	Wood
Martin			

—69

And the bill:

H. 819. To amend Section 2 of Act No. 634, approved September 4, 1951, Acts of Alabama of 1951, Regular Session, Page 1089, entitled "An act to prescribe certain duties and functions of county planning commissions and boards of zoning adjustment and the governing bodies in all counties having a population of 400,000 or more according to the 1940 or any succeeding Federal Census and to further define the authority, powers and functions of such boards and to authorize the governing body of such counties to enforce its rules, resolutions, regulations and ordinances and to provide remedies for the enforcement of its rules, resolutions, regulations and ordinances made by the governing bodies and to appoint a County Building Commissioner and to prescribe his authority and duties of such counties and to provide penalties for the violation of such rules, resolutions, regulations and ordinances."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Ferrell	Kendall	Perry
Adams	Gilchrist	Killough	Pirkle
Albea	Gist	Kirkham	Pruitt
Ashworth	Goodwyn	Lackey	Reynolds
Bassett	Gregory	Lee (Barbour)	Roberts
Boyd	Hain	Lee (Lawrence)	Selman
Bradford	Haltom	Locke (Choctaw)	Shumate
Branyon	Hanby	Locke (Perry)	Simon
Brassell	Hardy	McClendon	Solomon
Brewer	Hare	McKay	Speaks
Broadfoot	Harvey	McLendon	Stembridge
Brooks	Hawkins	McNider	Stokes
Brown (Lamar)	Hodges	Martin	Summerlin
Brown (Lee)	Holliman	Money	Taylor
Burkhalter	Hunt	Nettles	Thomas
Callahan	Jenkins	Nice	Tyson
Davis	Johnson (Elmore)	Oakley	Vacca
Dement	Johnson (Tallapoosa)	Oden	Windle
Edwards (Escambia)	Kelly	Payne	Wood
Edwards (Jefferson)			

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#### MOTION TO SUSPEND RULES

Mr. Law moved to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 810.

### CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:35 A.M. On August 5, 1955.

H.J.R. 57.

R. T. GOODWYN, JR.  
Clerk.

### ADJOURNMENT

On motion of Mr. Locke (Perry) the House adjourned until Tuesday, August 9, 1955, at ten o'clock A.M.

Yeas 48; Nays 34.

#### Yeas:

Messrs.	Edwards (Escambia)	Kaul	Oakley
Ashworth	Ferrell	Kelly	Payne
Bassett	Gist	Kirkham	Perry
Boyd	Gregory	Lee (Barbour)	Pruitt
Bradford	Hain	Locke (Choctaw)	Richardson
Branyon	Hardy	Locke (Perry)	Selman
Brassell	Harrison	McKay	Solomon
Brooks	Harvey	McLendon	Stokes
Burkhalter	Holliman	McNider	Summerlin
Callahan	Jenkins	Martin	Thomas
Dement	Johnson (Elmore)	Money	Vacca
DeSear	Johnson (Tallapoosa)	Nettles	Windle
Dickson			

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#### Nays:

Mr. Speaker	Gilchrist	Kendall	Reynolds
Adams	Goodwyn	Killough	Roberts
Albea	Haltom	Lackey	Shumate
Brewer	Hanby	Law	Simon
Broadfoot	Hare	Lee (Lawrence)	Speaks
Brown (Lamar)	Hawkins	Meeks	Stembridge
Davis	Hodges	Murphy	Taylor
Dawkins	Huddleston	Nice	Tyson
Edwards (Jefferson)	Hunt		

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### TWENTY-NINTH DAY

House of Representatives  
Montgomery, Alabama  
Tuesday, August 9, 1955

The House met pursuant to adjournment.

### PRAYER

The session was opened with prayer by the Reverend Paul A. Duffey, Pastor, Dexter Avenue Methodist Church, Montgomery, Alabama.

## ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dickson	Johnson (Elmore)	Oden
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Payne
Albea	Edwards (Jefferson)	Kaul	Perry
Ashworth	Faulk	Kelly	Pirkle
Bassett	Ferrell	Kendall	Pruitt
Boyd	Franklin	Killough	Ramey
Bradford	Gilchrist	Lackey	Reynolds
Brannan	Goodwyn	Law	Richardson
Brassell	Gregory	Lee (Barbour)	Roberts
Brewer	Grouby	Lee (Lawrence)	Shumate
Broadfoot	Hain	Locke (Choctaw)	Simon
Brooks	Hall	Locke (Perry)	Solomon
Brown (Lamar)	Halton	Love	Speaks
Brown (Lee)	Hanby	McClendon	Steagall
Burkhalter	Hardy	McKay	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathison	Taylor
Crook	Hawkins	Meeks	Thomas
Davis	Hodges	Molette	Tyson
Dawkins	Holliman	Nettles	Vacca
deGraffenried	Huddleston	Nice	Ward
Dement	Hunt	Nolen	Windle
DeSear	Jenkins	Oakley	Wood

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A quorum was present.

## REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-eighth legislative day and finds the same to be correct.

**RANKIN FITE,**  
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the twenty-eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the twenty-eighth legislative day was approved.

## REPORT OF COMMITTEE OF CONFERENCE

To the House of Representatives

To the Senate

Your Conference Committee heretofore appointed on the disagreement of the two Houses on the Senate amendment to the bill, H. 101, begs to report as follows:

1. That the Senate recede from its amendment and that both Houses then pass said bill.

**T. K. SELMAN**  
**W. E. ODEN**

**J. H. KELLY**Conferees on the part of the  
House**H. G. ALLEN****E. O. EDDINS****E. L. ROBERTS**Conferees on the part of the  
Senate**CONFERENCE COMMITTEE REPORT ADOPTED**

On motion of Mr. Kelly, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 101, said report being set out in the above and foregoing Report of the Committee of Conference.

Yeas 68; Nays 0.

**Yeas:**

Mr. Speaker	Dawkins	Hunt	Nolen
Adams	deGraffenried	Jenkins	Oakley
Albea	Dement	Johnson (Tallapoosa)	Oden
Ashworth	Edwards (Escambia)	Kelly	Payne
Bassett	Ferrell	Killough	Pirkle
Boyd	Franklin	Lackey	Ramey
Bradford	Gilchrist	Lee (Lawrence)	Roberts
Brannan	Goodwyn	Locke (Choctaw)	Simon
Brassell	Gregory	Locke (Perry)	Solomon
Brewer	Grubby	Love	Speaks
Broadfoot	Hain	McClendon	Steagall
Brown (Lee)	Hall	McKay	Stembridge
Burkhalter	Haltom	McNider	Taylor
Callahan	Hardy	Martin	Thomas
Cornett	Hare	Mathison	Vacca
Cox	Harrison	Molette	Ward
Davis	Huddleston	Nettles	Windle

—68

And said bill:

H. 101. Relating to Winston County: To establish the Law and Equity Court of Winston County; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Winston County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Winston County, and causes pending in the Winston County Court.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 69; Nays 0.

**Yeas:**

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Brassell	Gilchrist	Lee (Barbour)	Payne
Broadfoot	Gregory	Lee (Lawrence)	Pirkle
Brown (Lee)	Grouby	Locke (Choctaw)	Ramey
Burkhalter	Hain	Locke (Perry)	Reynolds
Callahan	Hall	Love	Roberts
Cornett	Haltom	McClendon	Simon
Cox	Hardy	McKay	Solomon
Crook	Hare	McNider	Speaks
Davis	Harrison	Martin	Steagall
Dawkins	Huddleston	Mathison	Stembridge
deGraffenried	Hunt	Molette	Taylor
Dement	Jenkins	Nettles	Thomas
Dickson	Johnson (Tallapoosa)	Nolen	Vacca
Edwards (Escambia)	Kelly	Oakley	Ward
Ferrell	Lackey	Oden	Windle
Franklin			

—69

## RESOLUTIONS

The following resolutions were introduced:

By Messrs. Brassell, Kelly, Hawkins, Mathison, Fite, Meeks, Wood and Adams:

H. R. 61. Whereas there has been considerable delay by the Senate of Alabama in acting upon House bills sent to the Senate, some of which House bills have been pending on the Senate calendar since the second week of the session, and

Whereas only eight legislative days remain for the consideration and passage of these House bills, and

Whereas the House of Representatives has given due consideration to Senate bills sent to the House, and

Whereas the House of Representatives, being a coordinate branch of the Legislature, is entitled to the same consideration by the Senate of bills approved by the committees and members of the House of Representatives; now therefore

Be it resolved by the House of Representatives: That the House of Representatives hereby calls upon the Senate to take note of the few days remaining in this session, and requests the Senate to act upon the House bills sent to the Senate, the passage of some of which House bills has been delayed since early in the session, so as to insure the passage of the proposed legislation embodied in the bills already approved by the members and the committees of the House of Representatives.

Be it resolved further, that a copy of this resolution be transmitted by the Clerk of the House to the Senate as a message from the House.

The motion of Mr. Brassell to suspend the rules in order to bring up for immediate consideration the above and foregoing H. R. 61 was adopted.

Yeas 63; Nays 4.

## Yeas:

Mr. Speaker	Ashworth	Boyd	Brannan
Adams	Bassett	Bradford	Brassell

Brown (Lamar)	Gregory	Lee (Lawrence)	Reynolds
Brown (Lee)	Grouby	Locke (Choctaw)	Shumate
Burkhalter	Hall	McClendon	Simon
Cornett	Haltom	McKay	Solomon
Cox	Hare	McNider	Speaks
Davis	Hawkins	Martin	Steagall
Dawkins	Holliman	Mathison	Stembridge
Dement	Huddleston	Molette	Taylor
Edwards (Escambia)	Hunt	Nettles	Thomas
Faulk	Jenkins	Nolen	Vacca
Ferrell	Johnson (Tallapoosa)	Oakley	Ward
Franklin	Kelly	Oden	Windle
Gilchrist	Kendall	Payne	Wood
Goodwyn	Lackey	Pirkle	

—63

**Nays:** Messrs. Albea, Brewer, DeSear and Richardson.

—4

And said resolution H. R. 61 was adopted.

Yeas 59; Nays 4.

**Yeas:**

Mr. Speaker	Dawkins	Jenkins	Oakley
Adams	deGraffenried	Johnson (Tallapoosa)	Oden
Ashworth	Dement	Kelly	Reynolds
Bassett	Edwards (Escambia)	Kendall	Shumate
Boyd	Faulk	Lackey	Simon
Bradford	Ferrell	Lee (Lawrence)	Solomon
Brannan	Franklin	Locke (Choctaw)	Speaks
Brassell	Gregory	McClendon	Steagall
Brooks	Grouby	McKay	Stembridge
Brown (Lamar)	Hall	McNider	Thomas
Brown (Lee)	Haltom	Martin	Vacca
Cornett	Hare	Mathison	Ward
Cox	Hawkins	Nettles	Windle
Crook	Holliman	Nice	Wood
Davis	Huddleston	Nolen	

—59

**Nays:** Messrs. Brewer, Callahan, DeSear and Richardson.

—4

Also:

By Ways and Means Committee:

H. R. 62. Whereas the members of the Committee on Ways and Means, the State Budget Officer, and officials of Alabama state supported colleges and universities have, from time to time, expressed an interest in improving the procedures of budgeting, accounting and reporting their financial operations; and

Whereas it appears that a cooperative study by the officers of the colleges and appropriate state officers would result in such improvements: therefore

BE IT RESOLVED that the said college officials are authorized, in cooperation with appropriate officers of the Department of Finance and any other state officers to encourage and institute said study; and

Be it further resolved that said officers are directed to file a written report of said study with the Committee on Ways and Means

on the first legislative day of the Regular Session of the Legislature in 1957.

On motion of Mr. Hawkins the rules were suspended and H. R. 62 was adopted.

Also:

By Ways and Means Committee:

H. J. R. 63. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the intent of the Legislature with regard to the appropriation of the Minimum Program Fund is as follows:

1. The distribution of the costs of the Minimum Program shall be as follows:

	1955-56	1956-57
a. Teachers' Salaries	\$70,170,450	\$72,328,550
b. Principals' Supplements	1,402,160	1,402,160
c. Sick Leave	742,560	742,560
d. Transportation	7,844,018	7,844,018
e. Other Current Expenses	8,286,870	8,286,870
f. Capital Outlay	1,955,087	1,955,087
g. Interest on Public School Corporation Loan and Board of Adjustment Awards	200,000	200,000
Total Cost	90,601,145	92,759,245
<b>Less:</b>		
Public School Fund	6,500,000	6,500,000
Local Effort	4,676,485	4,676,485
Total Minimum Program Fund	79,424,660	81,582,760

2. Teacher Units are to be calculated on the same basis as set out in the Regulations of the State Board of Education for the 1953-54 year, pertaining to the annual apportionment of the Minimum Program Fund.

3. Provisions have been made for an estimated increase in attendance by providing 500 new teachers over the number allotted in the Minimum Program for 1954-55 for 1955-56 and 700 new teachers for 1956-57. This allows 1,200 new teachers to be employed to take care of an estimated 37,000 increase in school attendance in the next biennium.

4. Funds have been appropriated to provide that the teachers will receive an average of at least \$600.00 per year increase over the salary allotments for 1954-55 plus the \$127.00 paid as a bonus. The State Board of Education shall make the following adjustments in Ranks I, II, III, IV, and V in the present State salary allotment schedule to provide this average increase:

Rank of Certificates	Allocation
I	\$ 3,660.00
II	3,160.00

III	2,550.00
IV	2,150.00
V	1,850.00

It is further provided that if the amounts for each of the fiscal years shown in 1-a above are not used, the amount not used shall revert to the Alabama Special Educational Trust Fund. The method used for calculating annual allotments for teachers' salaries shall be the same as in the Regulations of the State Board of Education for 1953-54.

5. The amount set out in 1-b for Principals' Supplements shall be allotted by the same method as provided in the Regulations of the State Board of Education for 1953-54.

6. Sick leave payments have been increased to a maximum of \$7.50 per day not to exceed \$742,560 per annum. The method for allotment shall be the same as provided in the State Board of Education Regulations for 1953-54.

7. An increase of \$1,500,000 has been provided for transportation. The method of allotment shall be the same as provided in the Regulations of the State Board of Education for 1953-54.

8. Other Current Expenses shall be allotted on the same basis as provided in the Regulations of The State Board of Education for 1953-54. The actual amounts set up for each of the fiscal years as shown in 1-e shall be allotted for this purpose except that in the event the funds provided for teacher salary allotments are insufficient to pay the schedule of salary allotments, as set out herein, including five hundred additional teachers the first year and seven hundred additional teachers the second year, then and only then may the State Board of Education transfer sufficient amounts from this "Other Current Expenses" allotment to the "Salary" allotment.

9. Capital Outlay allotments shall be made in the same manner as in the Regulations of the State Board of Education for 1953-54.

BE IT FURTHER RESOLVED, that if any amounts are not allotted as provided in 1 through 9 above, the amounts not allotted shall revert to the Alabama Special Educational Trust Fund.

BE IT FURTHER RESOLVED, that the Legislature hereby directs the State Superintendent of Education to make recommendations to the State Board of Education with regard to the Minimum Program Fund in compliance with this resolution.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to each county and city board of education.

The motion of Mr. Hawkins to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 63 was lost.

Yeas 30; Nays 41.

**Yeas:**

Mr. Speaker	Davis	Hawkins	Richardson
Adams	Dawkins	Johnson (Tallapoosa)	Roberts
Bradford	deGraffenried	Lee (Barbour)	Simon
Brassell	Dement	Martin	Speaks
Brewer	Ferrell	Mathison	Steagall
Brown (Lamar)	Hanby	Ramey	Stembridge



Stokes	Thomas	Windle	Wood
Taylor	Tyson		

—30

**Nays:**

Messrs.	DeSear	Hunt	Meeks
Albea	Faulk	Kaul	Molette
Ashworth	Gilchrist	Kelly	Nettles
Boyd	Gregory	Kendall	Nolen
Brannan	Hain	Killough	Oakley
Broadfoot	Haltom	Lackey	Payne
Brooks	Hardy	Locke (Choctaw)	Perry
Brown (Lee)	Harrison	Locke (Perry)	Pirkle
Burkhalter	Harvey	McKay	Reynolds
Cornett	Hodges	McNider	Solomon
Cox	Holliman		

—41

And said resolution H. J. R. 63 was read and referred to the Standing Committee on Rules.

**BILLS ON SECOND READING**

Mr. Bassett Vice-Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 895. Relating to Clarke County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the Inferior Court of the county.

H. 896. To further amend Section 7 of an Act entitled "An Act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 23, 1932, as amended by Act approved August 6, 1947.

H. 869. Relating to places of voting in state and county elections in all counties of the State having a population of not less than 200,000 nor more than 400,000 according to the last or any subsequent Federal decennial census: Providing for the designation of only one voting place in any ward, district or precinct in any such counties, and authorizing and providing for the assignment of booths or voting machines at such voting places to alphabetical groups of not more than six hundred qualified voters, and directing that qualified voters may vote at the designated voting place and the booth or voting machine assigned to the alphabetical group in which his name belongs in the ward, district or precinct of which he is a qualified voter.

H. 903. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

H. 901. To amend Section 2 of Act No. 637, H. B. 644, approved September 4, 1951, entitled "An Act to provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

H. 900. To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

H. 905. To require the Board of Revenue of Colbert County to provide suitable office space with telephone service for the Solicitor of Colbert Law and Equity Court of Colbert County.

H. 897. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

H. 878. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent decennial federal census; authorizing the court of county commissioners, board of revenue, or like governing body of any such county to levy additional privilege license and excise taxes for hospital purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

H. 877. Relating to Counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census, authorizing the governing body of every such County to provide for a Chief Clerk and assistant Chief Clerk in the Circuit Court and for a Chief Clerk in the County Court of the County.

H. 872. Providing further for the government of Escambia County; providing for the construction, maintenance, and repair of the county roads and bridges on the basis of the county as a unit; providing for the appointment of a road superintendent for the county, and for his powers, duties, and compensation; providing for the appointment of a county engineer, and for his powers, duties, and compensation; providing for central purchasing for the county; and providing for a county purchasing agent and for his powers, duties, and compensation.

H. 873. To repeal Act No. 349, Acts of Alabama, Regular Session, 1953, page 415, which authorizes the Board of Revenue of Escambia County to pay a monthly expense allowance to the members of such Board.

H. 888. Relating to Lauderdale County; providing for the compensation of the chief deputy sheriff for Lauderdale County.

H. 887. Relating to Lauderdale County; providing for the payment by the county of a salary to one duly appointed deputy register of the Circuit Court of Lauderdale County which shall be fixed by the governing body of the county in an amount not to exceed a stated sum.

H. 875. To provide for the establishment, maintenance, and operation of a public law library in Madison County; to provide for the financing thereof; and to require the audit of law library funds by the Department of Examiners of Public Accounts.

H. 904. Relating to Colbert County: To abolish the office of County Commissioner of Public Schools; to establish and restore in Colbert County the office of County Superintendent of Education; to designate and appoint a County Superintendent of Education and fix his term of office; to provide for the election of his successor and successors; to provide for the term of office, qualifications, official bond, salary, compensation and allowances of the County Superintendent of Education; to define and prescribe the duties and functions of the County Superintendent of Education; to repeal Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, approved July 24, 1953, and all other laws and parts of laws in conflict with this Act; and to provide for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act.

H. 874. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

H. 894. To abolish the DeKalb County Board of Revenue, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a County Commission to be known as DeKalb County Commission. To provide for the election of the members of said Commission, to fix their time of office, to define the powers and duties of such Commission and to fix the compensation of the members thereof.

H. 876. Relating to Etowah County: To abolish the present Board of Revenue of Etowah County, Alabama, and to create the Etowah County Board of Revenue in lieu thereof; to provide for the election and terms of office of the President and four Associate Members, and the districts in which the Associate Members must reside and be a qualified elector, to provide for the jurisdiction of the Board, the duties of the President and Associate Members, supervision of roads and bridges for the county, public meetings of the Board, the salaries of the President and Associate Members, the repeal of laws in conflict herewith and the effective date hereof.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 871. To amend further Section 390 of Title 14, Code of Alabama (1940), which relates to the compensation of the State Toxicologist.

H. 884. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail.

Mr. Lackey Vice-Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 883. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by regis-

tered mail. The provisions of this act shall apply in all counties having a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States.

H. 882. To authorize the governing body of any and every municipality in any county in this state which county may now or hereafter have a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States to adopt and provide by ordinance for the maintenance of a comprehensive zone map or maps of such municipality, and its Police Jurisdiction over which it exercises zoning jurisdiction, and to make such zoning map or maps a part of any ordinance by reference thereto in such ordinance without publication of such zone map or maps in any newspaper.

H. 881. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

### INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Lee (Lawrence) (with notice and proof):

H. 906. To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

Local Legislation No. 1.

Notice and Proof H. 906:

### STATE OF ALABAMA COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and applications for its passage and enactment will be made, to-wit:

### A BILL TO BE ENTITLED AN ACT

To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1 of Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86), as amended, is amended further to read as follows:

"Section 1. That the clerk of the Circuit Court of Lawrence County, Alabama be and he is hereby authorized to appoint a deputy clerk for said court and said deputy clerk shall hold office at the pleasure of said Circuit Clerk and shall receive a salary of two hundred dollars (\$200.00) per month, to be paid out of the general fund of Lawrence County, Ala-

bama. Said deputy clerk shall possess all of the powers and authority both ministerial and judicial now or hereafter possessed by said Circuit Clerk, and shall also be deputy register at such time as the Clerk of the Circuit Court of Lawrence County, Alabama, is authorized to perform the duties of the register of said court."

28-4

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and Aug. 4, all in the year 1955.

ARTHUR F. SLATON,  
Owner.

Sworn to and subscribed before me Aug. 5th, 1955.

JEANETTE LANG McKELVEY,  
Notary Public.

By Mr. Fite (with notice and proof):

H. 907. To amend Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws."

Local Legislation No. 1.

Notice and Proof H. 907:

STATE OF ALABAMA,  
COUNTY OF MARION.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws."

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws," is amended to read as follows:

"Section 5. The County Engineer shall receive an annual salary of not more than seven thousand two hundred dollars, the exact amount to be fixed by the Board of Revenue, to be paid in equal monthly installments, which salary may not be decreased during his term of office, such salary to be paid from the gasoline tax funds of Marion County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t-7-14

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1955.

ROBERT E. BONHAM.

Sworn to and subscribed before me August 6, 1955.

G. O. KARR,  
Notary Public.

By Mr. Fite (with notice and proof):

H. 908. To amend further Section V of an act to provide for an election of the County Superintendent of Education for Marion County, Alabama, to fix the term of office, to provide for filling vacancies therein, to prescribe his salary, and the manner of payment thereof, to define his qualifications, powers, and duties, and to provide for his successor in office, approved June 3, 1935 (Local Acts, 1935, p. 18).

Local Legislation No. 1.

Notice and Proof H. 908:

#### STATE OF ALABAMA COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To amend further Section V of an act to provide for an election of the County Superintendent of Education for Marion County, Alabama, to fix the term of office, to provide for filling vacancies therein, to prescribe his salary, and the manner of payment thereof, to define his qualifications, powers, and duties, and to provide for his successor in office, approved June 3, 1935 (Local Acts, 1935, p. 18).

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section V of an act providing for the election of the County Superintendent of Education for Marion County, fixing his term of office, providing for filling vacancies therein, prescribing his salary, and the manner of its payment, defining his qualifications, powers, and duties, and providing for his successor in office, which act was approved June 3, 1935 (Local Acts of 1935, page 18) as amended, is amended further to read as follows:

"The salary of the County Superintendent of Education of Marion County shall be fixed by the county board of education in such an amount as the board may deem proper and ample, not to exceed five thousand two hundred dollars per annum. Such salary shall be paid in the same manner and from the same sources as provided by the general law for the payment of the compensation of county superintendents of education in the several counties."

Section 2. This Act shall become effective at the expiration of term of the incumbent superintendent of the office of county superintendent of education in Marion County.

4t 6-30

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

ROBERT E. BONHAM.

Sworn to and subscribed before me August 3, 1955.

G. O. KARR,  
Notary Public.

By Mr. Fite (with notice and proof):

H. 909. Relating to Marion County: To amend further Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), entitled "An Act to allow the Sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

Local Legislation No. 1.

Notice and Proof H. 909:

STATE OF ALABAMA  
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Marion County: To amend further Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), entitled "An Act to allow the Sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), which allows the sheriff of Marion County an additional deputy, as amended, is amended further to read:

"The Sheriff of Marion County, Alabama, is hereby allowed an additional deputy sheriff, who shall receive a salary of not less than nine hundred nor more than four thousand two hundred dollars per annum, to be paid in equal monthly installments out of the general fund of Marion County, the exact amount of the salary to be fixed by the Marion County Board of Revenue. The deputy sheriff shall be eligible to perform duties anywhere in the county, provided the Sheriff may from time to time assign him to perform such duties in certain precincts in Marion County as he may deem fit and proper."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t 6-30

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

ROBERT E. BONHAM.

Sworn to and subscribed before me August 3, 1955.

G. O. KARR,  
Notary Public.

By Mr. Cox (with notice and proof):

H. 910. To authorize and empower the governing body of the City of Guntersville, Alabama, by resolution, to authorize the Mayor of the City of Guntersville to lease or sub-lease any of the real or personal property now owned or leased by such City, or hereinafter acquired or leased by said City of Guntersville, to provide that a lease or sub-



lease made in accordance with such resolution shall be binding for the term specified in the resolution not to exceed a period of ten years, to provide restrictions upon such sub-leases, to provide that the provisions of such act are severable, and to provide when this Act shall become effective.

Local Legislation No. 1.

Notice and Proof H. 910:

### EXHIBIT "A"

#### NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama for the passage of an Act in substance as follows:

"A Bill to be entitled an Act to authorize and empower the governing body of the City of Guntersville, Alabama, by resolution, to authorize the Mayor of the City of Guntersville to lease or sub-lease any of the real or personal property now owned or leased by such City, or hereinafter acquired or leased by said City of Guntersville, to provide that a lease or sub-lease made in accordance with such resolution shall be binding for the term specified in the resolution not to exceed a period of ten years to provide restrictions upon such sub-leases, to provide for the validity of such leases and sub-leases, to provide that the provisions of such act are severable, and to provide when this Act shall become effective.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of the City of Guntersville, Alabama, may, by resolution to be entered on its minutes, authorize the Mayor of the City of Guntersville, Alabama, on behalf of said city, to lease or sub-lease to any person whatsoever any of the real or personal property now owned by the City of Guntersville or leased to it or hereinafter acquired by said City or leased to it, under such terms and conditions as may be stated in such resolution, and a lease or sub-lease made by the Mayor for such City, in accordance with such resolution shall be binding for the term specified in the lease, not to exceed a period of ten years; provided, however, that a sub-lease of any property leased to said City may not authorize any use of such property for any purpose other than the purposes allowed by the terms of the lease to said city, nor may such sub-lease of such leasehold property be made for a term longer than the term of the lease of such property to said city, nor may a sub-lease of any leasehold property held by said city be made where sub-leasing by said city is prohibited by the terms of the lease of such property to said city, nor may a sub-lease of any property leased to said city be executed without the written consent and approval of the lessor thereof where such lessor is a governmental agency. If such lease or sub-lease is made by such Mayor for such city, in accordance with this Act and such resolution, it shall be binding and legal in all other respects.

Section 2. The provisions of this Act are severable. If any part of this Act be declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W4c-8-3

#### PUBLISHER'S AFFIDAVIT

"Notice" of legislative bill to authorize and empower governing body of City to lease city property.

Before the undersigned authority personally appeared F. S. Ogletree who being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM a newspaper published semi-weekly in Marshall County, Alabama; that the notice attached has been published in said newspaper for four successive weeks in the issues of said paper dated July 13, 20, 27, and Aug. 3, 1955, respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit, being marked Exhibit "A"; that the charge for such publication is \$32.11 which affiant claims as cost.

F. S. OGLETREE.

Subscribed and sworn to before me this 3rd day of August, 1955.

ALICE WELLS HARVEY.

By Mr. Hare (with notice and proof):

H. 911. Relating to Monroe County; requiring the court of county commissioners, board of revenue, or like governing body of said county to pay or cause to be paid to certain county employees a minimum hourly wage of eighty cents.

Local Legislation No. 1.

Notice and Proof H. 911:

#### PUBLISHER'S AFFIDAVIT

#### STATE OF ALABAMA MONROE COUNTY

Before me, John D. Bonham, a Notary Public in and for said County in said state personally appeared Tom Gardner, who is known to me, and who, being duly sworn, deposes and says:

That he is Business Manager of The Monroe Journal, a newspaper published weekly at Monroeville, in Monroe County, Alabama, and that the following notice, to-wit:

#### LEGAL NOTICE

State of Alabama, County of Monroe.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Monroe County; requiring the court of county commissioners, board of revenue, or like governing body of said county to pay or cause to be paid to certain employees a minimum hourly wage of eighty cents.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Monroe County, is authorized, directed, and required to pay or cause to be paid to all employees of the county road department employed on a wage basis, an hourly wage of at least eighty cents (80c).

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on the first day of the month commencing after the date of its enactment.

N. S. HARE,  
Representative for Monroe County  
Legislature, State of Alabama.

28-4tc

was published in said newspaper once a week for 4 successive weeks, said notice appearing in the following issues: July 14, 1955 to Aug. 4, 1955, inclusive.

TOM GARDNER.

Sworn to and subscribed before me this day of Aug. 8, 1955.

JOHN D. BONHAM,  
Notary Public, Monroe County, Ala.

By Mr. Hare (with notice and proof):

H. 912. Relating to the election of members of the County Commission of Monroe County: Providing that such members shall be elected by vote of the qualified electors of the county at large.

Local Legislation No. 1.

Notice and Proof H. 912:

#### PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA  
MONROE COUNTY

Before me, John D. Bonham, a Notary Public in and for said County in said state personally appeared Tom Gardner, who is known to me, and who, being duly sworn, deposes and says:

That he is Business Manager of The Monroe Journal, a newspaper published weekly at Monroeville, in Monroe County, Alabama, and that the following notice, to-wit.

#### LEGAL NOTICE

State of Alabama, County of Monroe.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to the election of members of the County Commission of Monroe County: Providing that such members shall be elected by vote of the qualified electors of the county at large.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Members of the County Commission of Monroe County shall be elected hereafter by the qualified electors of the county at large, and not by districts as prescribed in Act No. 211, H. 390, passed at the 1939 Regular Session of the Legislature. The members of the commission now in office shall continue in office until their successors are elected and qualified as provided by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

N. S. HARE,  
Representative for Monroe County  
Legislature, State of Ala.

28-4tc

was published in said newspaper once a week for 4 successive weeks, said notice appearing in the following issues: July 14, 1955 to Aug. 4, 1955, inclusive.

TOM GARDNER.

Sworn to and subscribed before me this day of August 8, 1955.

JOHN D. BONHAM,  
Notary Public, Monroe County, Ala.

By Mr. Hare (with notice and proof):

H. 913. Relating to Monroe County; authorizing and directing the court of county commissioners of Monroe County to provide for the installation and use of voting machines in certain election precincts within the county; and authorizing the court of county commissioners to adjust the boundaries of election precincts and districts within the county in order to make the most effective use of such machines.

Local Legislation No. 1.

Notice and Proof H. 913:

#### LEGAL NOTICE

State of Alabama, County of Monroe.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Monroe County; authorizing and directing the court of county commissioners of Monroe County to provide for the installation and use of voting machines in certain election precincts within the county; and authorizing the court of county commissioners to adjust the boundaries of election precincts and districts within the county in order to make the most effective use of such machines.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners of Monroe County is hereby authorized, directed, and required to provide for the installation and use of at least eight voting machines within the county. The court of county commissioners may designate the election precincts within which voting machines shall be used and the precincts within which paper ballots shall continue to be used, and may adjust the boundaries of the election precincts or election districts within the county in order to make the most effective and practical use of the machines herein authorized. Upon the installation of voting machines in any election precinct, such machines must be used for registering or recording and computing the vote at all general, special, or primary elections thereafter held in such precinct.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

N. S. HARE,  
Representative for Monroe County  
Legislature, State of Alabama.

28-4tc

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Tom Gardner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Gen. Mgr. of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and Aug. 4, all in the year 1955.

TOM GARDNER.

Sworn to and subscribed before me Aug. 8, 1955.

JOHN D. BONHAM,  
Notary Public.

By Mr. Hare (with notice and proof):

H. 914. Relating to Monroe County; requiring the court of county commissioners, board of revenue or like governing body of said county to cover or cause to be covered the employees of the county, or of any agency or instrumentality thereof, including the employees of elected officials, under the Workmen's Compensation Act.

Local Legislation No. 1.

Notice and Proof H. 914:

## PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA  
MONROE COUNTY

Before me, John D. Bonham, a Notary Public in and for said County in said state personally appeared Tom Gardner, who is known to me, and who, being duly sworn, deposes and says:

That he is Business Manager of The Monroe Journal, a newspaper published weekly at Monroeville, in Monroe County, Alabama, and that the following notice, to-wit:

## LEGAL NOTICE

State of Alabama, County of Monroe.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Monroe County; requiring the court of county commissioners, board of revenue or like governing body of said county to cover

or cause to be covered the employees of the county, or of any agency or instrumentality thereof, including the employees of elected officials, under the Workman's Compensation Act.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The court of county commissioners, board of revenue, or like governing body of Monroe County, is authorized, directed, and required to cover or cause to be covered under the Workman's Compensation Act (Chapter 5 of Title 26, Code of Alabama, 1940) the employees of said county, or of any agency or instrumentality thereof, including the employees of elected officials, but not the officials themselves.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

N. S. HARE,  
Representative for Monroe County  
Legislature, State of Alabama. 28-4tc

was published in said newspaper once a week for 4 successive weeks, said notice appearing in the following issues: July 14, 1955, to Aug. 4, 1955, inclusive.

TOM GARDNER.

Sworn to and subscribed before me this day of Aug. 8, 1955.

JOHN D. BONHAM,  
Notary Public, Monroe County, Ala.

By Mr. Hare (with notice and proof):

H. 915. Relating to Monroe County: To regulate further the purchasing of supplies, materials, equipment, and services for the use of the county and county officers, offices, departments, and agencies, and the disposition and use of county property; providing penalties for violations of this Act.

Local Legislation No. 1.

Notice and Proof H. 915:

**LEGAL NOTICE**

State of Alabama, County of Monroe.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to Monroe County: To regulate further the purchasing of supplies, materials, equipment, and services for the use of the county and county officers, offices, departments and agencies, and the disposition and use of county property; providing penalties for violations of this Act.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The provisions of this Act shall have application to all purchases made by or on behalf of Monroe County or any officer, depart-

ment, or agency of said county, whether such purchase be made by the court of county commissioners, board of revenue, or like county governing body as such, or by the duly appointed and designated purchasing agent of the county. If a purchasing agent is appointed by the county governing body as authorized by law, he shall make all purchases of supplies, materials, equipment, and contractual services other than contracts for professional or other personal services, for Monroe County or any office, officer, department, or agency of said county. Subject to the approval of the court of county commissioners, board of revenue, or like county governing body, the purchasing agent may promulgate reasonable rules and regulations governing the acquisition of such supplies, materials, equipment, and contractual services.

Section 2. The purchasing agent shall obtain at least three written, sealed, competitive bids for all purchases of supplies, materials, equipment, and contractual services when the amount involved is two hundred dollars (\$200.00) or more. If for any reason as many as three bids can not be obtained the purchasing agent may make the purchase by following the procedure authorized in Section 3 hereof relating to emergency purchases. If the purchase involves an amount less than two hundred dollars (\$200.00), the purchasing agent may make such purchase either upon the basis of sealed bids or in the open market, in his discretion. It shall be a violation of this section, however, to divide or otherwise adjust the quantity of a purchase to an amount less than two hundred dollars (\$200.00) for the purpose of evading the requirements of this section. Invitations for bids shall be advertised in a newspaper published in Monroe County and shall be posted on a bulletin board at the county court house and sent to prospective suppliers at least one week before the final date for submitting bids. Where it is reasonably expected by the purchasing agent that the purchase will involve twenty-five hundred dollars (\$2500.00) or more, invitations for bids shall be additionally advertised in a daily newspaper having state wide general circulation. Bids shall be opened publicly by the purchasing agent at the time and place stated in the invitations. The purchasing agent shall award the purchase to the lowest responsible bidder, or he may reject all bids and re-negotiate the purchase when the public interest will be served thereby. The purchasing agent shall obtain information from the Division of Purchases and Stores, State Department of Finance, relative to the items to be purchased by competitive bids; and if the price to the State is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated by or through the State Purchasing Agent. All bids, with the names of the bidders, shall be entered on a permanent record. Such record, with the successful bid indicated thereon, and with the reasons for the award, if not awarded to the lowest bidder, shall be open to public inspection after the award of the purchase is made. In the event of the sale, exchange, or other disposition of any property of the county of any nature or kind, the procedure as outlined herein as it relates to the obtaining of written, sealed, competitive bids shall be followed, and such sale, exchange, or disposition of the property of the county shall be made in accordance with the most advantageous offer made for such prospective purchases.

Section 3. A purchase may be made for the county in an emergency without competitive bids and without obtaining information from the Division of Purchases and Stores. However, a full written account of the circumstances necessitating any such emergency purchase, together with a statement describing the items purchased and naming the vendor from whom the item was purchased, shall be at once prepared by the purchasing agent and be filed in his office. As used in this section, "emergency" is defined as a situation where needed equipment of the

county is idle due to lack of parts, supplies, or repairs therefor, or when materials or supplies are immediately needed to place in operating condition a road or bridge system of the county which has become impassable or dangerous due to damage or destruction of existing portions thereof. The records of emergency transactions shall be open to public inspection at all reasonable times. The provisions of this Act regarding competitive bidding and obtaining information from the State Purchasing Agent may be waived for purchases of perishable commodities, utility services, machinery repairs, and commodities or services for which there is no competitive situation.

Section 4. In making purchases, the purchasing agent shall give preference to commodities produced or sold in Monroe County, provided there is no sacrifice or loss in price or quality.

Section 5. Any member of the court of county commissioners, board of revenue, or like county governing body, or any other county officer or employee who purchases or disposes of property for or on behalf of the county contrary to the provisions of this Act, or who uses the property of the county for his own benefit or for the benefit of any private individual, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred dollars nor more than one thousand dollars, and in addition may be imprisoned in the penitentiary for one year and one day.

Section 6. The governing body of Monroe County shall provide the purchasing agent with office quarters, supplies, books, equipment, postage, and assistance necessary for the proper and efficient conduct of his duties.

Section 7. The provisions of Act No. 211, H. 390, passed at the 1939 Regular Session of the Legislature, as amended by Act No. 162, H. 436, approved June 30, 1953 (Acts of 1953, Vol. 1, p. 202), which are in conflict with this Act are superseded by this Act.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

N. S. HARE,  
Representative for Monroe County,  
Legislature, State of Alabama. 28-4tc

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Tom Gardner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Gen. Mgr. of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7-14, 7-21, 7-28, and 8-4, all in the year 1955.

TOM GARDNER.

Sworn to and subscribed before me Aug. 8, 1955.

JOHN D. BONHAM,  
Notary Public.

By Mr. Hare (with notice and proof):



H. 916. Relating to Monroe County: To create and establish in Monroe County a court of record with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Inferior Court of Monroe County"; defining its jurisdiction; providing it with officers; defining their powers, duties, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Monroe County, taking criminal jurisdiction away from the justice of the peace courts in the county and providing for the transfer and trial of cases pending in the abolished court and of criminal cases pending in justice of the peace courts at the time this Act takes effect to the newly created Inferior Court of Monroe County.

Local Legislation No. 1.

Notice and Proof H. 916:

### LEGAL NOTICE

State of Alabama, County of Monroe.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

### A BILL TO BE ENTITLED AN ACT

Relating to Monroe County: To create and establish in Monroe County a court of record with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Inferior Court of Monroe County"; defining its jurisdiction; providing it with officers; defining their powers, duties, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Monroe County, taking criminal jurisdiction away from the justice of the peace courts in the county and providing for the transfer and trial of cases pending in the abolished court and of criminal cases pending in justice of the peace courts at the time this Act takes effect to the newly created Inferior Court of Monroe County.

### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Inferior Court Created. There is hereby created and established in Monroe County a court with county-wide limited jurisdiction of criminal cases and civil actions at law. The court shall be known as the "Inferior Court of Monroe County". It shall be in lieu of the county court, which is hereby abolished.

Section 2. JURISDICTION. (a) Except as provided in subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, and cases (including bastardy proceedings and actions for unlawful detainer and for the recovery of possession of land without limitation of the value of the property involved), cognizable before the circuit court, or a county court, or the juvenile court, or justices of the peace or courts created in lieu thereof, and all courts of like jurisdiction. It may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the constitution and statutes of the State, and lawmade rules governing practice and procedure courts of record.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of civil actions of libel, assault and battery, ejectment or actions in the nature of ejection or of any civil action when the matter or sum in controversy exceeds one thousand dollars nor take cognizance of any matter or proceeding in equity except suits involving the custody and support of children.

Section 3. JUDGE (a) The judge of the Inferior Court of Monroe County shall be a resident citizen and a qualified elector of Monroe County, at the time of his appointment or elections, and shall reside in the county during his continuance in office. He shall be at least twenty-five (25) years of age, learned in the law, and duly licensed to practice law in this State. The judge of this court shall not, during the term of his office, act as an attorney in any case or matter that has previously been in or is in his court, but may practice in all other matters and courts.

(b) The first judge shall be elected by the qualified electors of Monroe County at the first general or special election held in Monroe County, at any time after the expiration of 30 days from the effective date of this Act. He shall assume the duties of his office on the first day of the month following his election and qualification and shall serve until his successor is elected, as hereinafter provided, and has qualified. His successor shall be elected by the qualified electors of Monroe County at the general election in 1956 and every 4 years thereafter. He shall serve for a term of 4 years from first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. Upon the election of the judge, the Governor shall issue a commission to him as judge of the Inferior Court of Monroe County, and before entering upon the duties of his office the judge shall take the oath of office prescribed by Section 279 of the Constitution. The judge shall be removable from office for any cause enumerated in Section 173 of the Constitution in the manner provided by law.

(c) In the event of a vacancy in the office of judge, the Governor shall appoint a qualified person as judge and the person so appointed shall hold office as is provided in Sections 158 and 159 of the Constitution.

(d) In case the judge shall be unable at any time to discharge the duties of his office by reason of sickness, disqualification, or other cause, the judge shall make or cause to be made by the clerk of the court an order setting forth the reasons for his inability to sit in court, and the order shall be spread upon the minutes of the court. Thereupon the circuit judge of Monroe County shall, by an order entered on the minutes of the circuit court, designate and appoint some qualified practicing attorney of Monroe County as special judge and the person so designated and appointed shall perform all the duties and exercise all of the powers and authority of the judge and shall hold this special office until the regular judge shall resume his duties. The special judge shall receive as compensation five dollars (\$5) for each day he serves as judge. The compensation of the special judge shall be paid in the same manner and from the same funds as the compensation of the regular judge is paid.

(e) The judge shall receive a salary of thirty-six hundred (\$3600) per annum, payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(f) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs

of injunction and ne exeat; (3) administer oaths and take acknowledgements; (4) issue search warrants; (5) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provide, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits involving the custody and support of children.

(g) The judge shall be provided, at the expense of the county, with such office supplies, stationary, stamps, and other materials as may be necessary for the transaction of the business of the court.

Section 4. CLERK. (a) The circuit clerk of Monroe County shall be ex officio clerk of the court hereby established. The clerk of the Inferior Court shall receive as his compensation the same fees, allowances and costs as are now allowed by law to clerks of circuit courts in this State, and in addition thereto shall receive a fee of seventy-five cents (\$0.75) for each writ of arrest issued by him, to be taxed and collected by him as other costs are taxed and collected.

(b) It shall be the duty of the clerk to keep all the records, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; (3) to approve bonds in civil and criminal cases; (4) to enter all judgments, orders, and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of circuit courts.

(d) The clerk, before entering upon the duties of his office, shall give bond in such a penal sum as may be provided by the county commission of Monroe County payable and conditioned upon the faithful performance of the duties of his office. This bond shall be approved by the judge and shall be recorded in the office of the Probate Judge of Monroe County. The premium on the bond shall be paid out of the general fund of the county.

(e) The clerk may appoint a deputy who shall hold office at the will of the clerk and who shall receive such portion of the fees provided for in this Act as the clerk shall designate. Any deputy so appointed shall have the authority to file papers and do all things herein provided in the name of the clerk.

Section 5. COSTS. (a) It shall be the duty of the clerk of the court to tax and collect in each civil and criminal case the same costs and fees for the services of the solicitor, clerk, sheriff, and the witnesses as are now required by law to be taxed, charged, and collected in the circuit courts and county courts of Monroe County. He shall disburse these costs and fees in the manner now provided by the general law of this State.

(b) The clerk shall tax in each civil or criminal case the same trial tax that under the general law would be taxed in a similar case in the circuit court, which shall be collected as all other costs are collected, and when collected this fee shall be paid into and become a part of the general fund of the county. Witness fees taxed and collected in civil cases shall be retained by the clerk and paid over to the witnesses entitled to them; provide, however, witnesses shall have five days after their attendance upon the court in any case to prove their attendance

and to be issued a witness certificate, and, failing therein, no costs shall be taxed on account of the attendance of the witness; and, provided further, in case civil witness certificates are not presented to the clerk for payment within ninety days after the payment of the costs in the case in which the certificates were issued, the witness fee shall revert to the general fund of the county and shall be paid by the clerk into the county treasury.

(c) State witness fees in criminal cases shall be taxed, collected, accounted for, and disposed of as is provided under the general law.

(d) Each witness attending court in civil cases shall be entitled to seventy-five cents per day and five cents per mile in going to court and returning home therefrom. These fees shall be computed by the most direct route.

Section 6. SHERIFF. The sheriff of Monroe County, in persons or by deputy, shall attend the sessions of the court and preserve order. He shall execute all writs of processes issued therefrom and perform all other duties required to be performed by him in the circuit court. For the service of attending court the sheriff shall receive the sum of two dollars per day payable out of the general fund of Monroe County upon presentation of a certificate of the judge as to his services as other county employees are paid. For all other services rendered by him other attendance upon court, the sheriff shall receive the same costs and fees as are allowed by law for similar services in the circuit court.

Section 7. SOLICITOR. The county solicitor for Monroe County shall, without additional compensation, prosecute for the State all cases in the court.

Section 8. SESSIONS. (a) The Inferior Court of Monroe County shall be open for the transaction of all business or judicial proceedings of every kind within its jurisdiction at all times.

(b) Sessions of the court shall be held at the court house in the town of Monroeville. On the first Monday of each month there shall be held a regular session of the court for the handling, trial, and disposition of all cases therein pending. The regular session shall continue as long as necessary to dispose of the docket, but any session of the court may be dispensed with and continued by the judge when in his opinion the public necessity requires the continuance of that session.

(c) The judge shall have the power to hold special sessions at any time.

Section 9. CRIMINAL PROSECUTIONS. (a) All criminal cases in the court shall be tried by the judge thereof without a jury as provided by Section 326 of Title 13 of the Code of Alabama (1940), and the accused shall not have the right to demand a jury for trial, but in all trials of criminal cases in the court, the judge shall determine the law and the facts without the intervention of a jury, and, in case of conviction the defendant shall have the right to appeal within ten days from the rendition of the judgment to the Circuit Court of Monroe County as provided in Section 349 of Title 13 of the Code of Alabama (1940) except that appeal bonds shall be approved by the clerk of the court, and a jury trial may there be had on the demand of the defendant as provided by law. The trial of all criminal appeals from this court in the circuit court shall be de novo, and without any indictment or presentment by the grand jury; but the solicitor shall make a brief statement signed by him of the cause of complaint in substantially the form provided in Section 363 of Title 15 of the Code of Alabama (1940).

(b) A party aggrieved or desiring to bring a charge of misdemeanor before this court may apply to the clerk for a warrant of arrest by making affidavit that he has probable cause for believing and does believe that an offense (designating the misdemeanor by name, or by some other phrase which in common parlance designates it) has been committed against the person or property, as the case may be, of A B (naming the person or property, as the case may be). The clerk shall examine the affiant under oath, and other witnesses if he desires, touching the offense charged in the affidavit, and if the clerk has probable cause for believing that the offense alleged in the affidavit has been committed he shall issue his warrant of arrest as hereinabove provided. When there is an objection to the validity or sufficiency of any affidavit, complaint, or warrant pending in this court the solicitor or other person prosecuting for the State shall have the right to amend any or all of the papers to which the objection is directed; or the solicitor may, instead of amending the papers, make a brief statement signed by him of the cause of complaint in substantially the form provided by Section 363 of Title 15 of the Code of Alabama (1940). Thereupon the court shall proceed to try the case either upon the original papers, or the original as amended, or upon the statement filed by the solicitor. When the defendant is arrested on affidavit and warrant charging a misdemeanor the case shall go on docket for trial and the defendant shall be tried as though he had been indicted by a grand jury except as hereinafter provided. The defendant shall not be put on trial in any cause within five days of his arrest except with his consent.

(c) When brought before the Inferior Court of Monroe County for trial, the accused, if he demands it, must be furnished with a copy of the accusation, as contained in the warrant of arrest.

(d) All general laws relating to misdemeanors, now in force or that may hereinafter be enacted, shall apply to and extend to this court unless the contrary is expressly provided or limited by the context thereof.

(e) All proceedings in the inferior court as to judgment for fine and costs, confession of judgment and execution thereon, sentence to jail or hard labor for fine and costs, and as additional punishment, bail, conditional judgments, forfeitures, judgments, or final and alias warrants of arrest, shall be the same in this court as are now or may hereafter be provided by law in the circuit courts. Conditional judgments may be set aside, reduced, or made absolute and the same orders and judgments may be made and taken in these matters as could be made or taken in the circuit courts and the same procedure shall be followed.

(f) All preliminary proceedings in prosecution for felonies begun in the court may be instituted by affidavit before the judge and the writ thereon may be issued by the judge or by the clerk.

(g) On and after the effective date of this Act every indictment returned by a grand jury of Monroe County against persons charged with the commission of a misdemeanor shall immediately be transferred from the circuit court to the inferior court by order of the circuit judge, and thereupon the jurisdiction of the inferior court shall attach in those cases and the jurisdiction of the circuit court therein shall cease.

Section 10. CIVIL ACTIONS. (a) In all civil cases pending on the docket of the Circuit Court of Monroe County which are within the jurisdiction of this court, the parties thereto may, in writing filed in the circuit court, agree to transfer the causes to the Inferior Court of Monroe County. It shall be the duty of the clerk of the circuit court, immediately upon the filing of the agreement, to transfer the cases and to certify all papers and proceedings therein to the inferior court, and

thereupon the jurisdiction of the inferior court shall attach and the jurisdiction of the circuit court shall cease.

(b) In all civil actions, including appeals from municipal and justice courts, the pleadings and process and the time for filing pleadings shall conform to and be governed by the statutes and rules obtaining in the Circuit Court of Monroe County except in issuance, levy and collection of executions from this court shall be controlled by the laws now applicable to justice courts of this State or courts of like jurisdiction.

(c) In all civil actions when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within twenty days.

(d) In all civil matters transferred to this court or begun in this court by appeal from the justice of the peace courts the trial shall in all respects be governed by the same rules of pleading, evidence, procedure, and practice as now obtain or govern in the circuit courts of this State except as hereinafter provided. A party litigant after being served with statutory interrogatories shall be required to answer within twenty days, and upon his failure to do so he shall be subject to the penalties now provided by law for failure to answer interrogatories propounded in the circuit courts. Any party desiring to appeal from any judgment rendered in the inferior court shall give security for the cost of the appeal to be approved by the clerk. When the judgment is for the payment of money or for the recovery of personal property or the possession of real or personal property any party appealing who wishes to have the judgment superseded must give a supersedeas bond with good and sufficient security payable to and approved by the clerk with the condition that if he fails in the appeal he will pay the judgment that the appellate court may render in the premises and all costs and damages that any party aggrieved may sustain by reason of the wrongful appeal and suspension of the execution of the judgment. The supersedeas bond and security for costs must be filed with the clerk within ten days from the date of rendition of the judgment.

(e) All civil cases in the court shall be tried by the judge without the intervention of a jury. The judge shall determine both the law and the facts and either party shall have the right of appeal to the circuit court as hereinabove provided, and on appeal either party may demand a trial by jury in the circuit court. The trial in the circuit court shall be de novo.

(f) Final judgments rendered in civil cases of this court shall after the expiration of ten days from their rendition be deemed to have passed beyond the control of the court, as if the term of court at which the judgments were rendered had ended; provided, however, nothing herein contained shall prevent the parties from filing a motion to vacate, set aside or modify the judgment, or grant a new trial or rehearing when so made. These motions shall be filed with the clerk and called to the attention of the court, and, thereupon the court may hear the motion or make an order continuing the motion to a future date; provided, however, the motion must be heard and determined within thirty days from the date of rendering the judgment.

Section 11. CONTEMPT. The judge of the court shall have the power to punish for contempt in all cases where the judges of the circuit courts of this State may punish for contempt, by fine not exceeding fifty dollars (\$50) and by imprisonment not to exceed five days, or by both fine and imprisonment.

Section 12. COUNTY COURT ABOLISHED AND CRIMINAL JURISDICTION TAKEN AWAY FROM JUSTICES OF THE PEACE. (a) The County Court of Monroe County is hereby abolished, and all cases now pending in the abolished court shall be transferred from the docket of that court to the new Inferior Court of Monroe County created by this Act. The cases thus transferred shall proceed in the new court as though begun therein. This court shall have the same power to control judgments rendered by the abolished court and to issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

(b) Justices of the peace and notaries public with powers of justices of the peace in Monroe County now acting or hereafter appointed or elected shall have no preliminary or final jurisdiction in any criminal or quasi-criminal case. All such cases pending in any justice of the peace court or any court of a notary public with powers of a justice of the peace in Monroe County shall be transferred to the Inferior Court of Monroe County, and shall proceed as if begun therein. Any judgment in any criminal or quasi-criminal case rendered by a justice of the peace or notary public with powers of a justice of the peace shall be the same as if it had been rendered in the Inferior Court of Monroe County, which shall have the same powers and control over judgment, and shall issue executions and other processes thereon in all respects, as if the judgment had been originally rendered in the Inferior Court of Monroe County.

Section 13. SEVERABILITY. The provisions of this Act are severable. If any part of the Act is declared unconstitutional or invalid, such a declaration shall not effect the part which remains.

Section 14. REPEALER. All laws or parts of laws which conflict with this Act are repealed.

Section 15. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, but the provisions hereof abrogating the jurisdiction of other courts in Monroe County and providing for the transfer of cases to the court, hereby established, shall not be applicable until a judge thereof has been elected and qualified pursuant to the terms of this Act, and the county court, justices of the peace and notaries public with powers of justices of the peace shall continue to exercise the powers and duties currently exercised by them under the general law until such time.

N. S. HARE,  
Representative for Monroe County  
Legislature, State of Ala. 28-4tc

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Tom Gardner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and Aug. 4, all in the year 1955.

TOM GARDNER.

Sworn to and subscribed before me Aug. 8, 1955.

JOHN D. BONHAM,  
Notary Public.

By Messrs. Hall, Goodwyn, Nolen and Dawkins:

H. 917. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 225,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

Local Legislation No. 1.

By Messrs. Branyon and Brown (Lamar):

H. 918. Proposing an amendment to the Constitution of Alabama to provide for a reapportionment of representation in the Legislature of Alabama.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Pruitt and Harvey (with notice and proof):

H. 919. Relating to Sumter County: To amend further Act No. 261, H. 571, approved August 6, 1947 (Local Acts of Alabama, 1947, page 187), which created the Board of Commissioners of Sumter County.

Local Legislation No. 1.

Notice and Proof H. 919:

### NOTICE

#### STATE OF ALABAMA COUNTY OF SUMTER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(3676:6-29-55)

#### A BILL TO BE ENTITLED AN ACT

Relating to Sumter County: To amend further Act No. 261, H. 571, approved August 6, 1947, (Local Acts of Alabama, 1947, page 187), which created the Board of Commissioners of Sumter County.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 8 and 9 of Act No. 261, H. 571, approved August 6, 1947 (Local Acts of Alabama, 1947, page 187), entitled "An Act Relating to Sumter County; creating a Board of Commissioners of Sumter County in lieu of the Board of Revenue, which is hereby abolished; prescribing the election, terms of office, qualifications, and



powers of the members of the Board of Commissioners; defining and regulating the jurisdiction, powers, and duties of the Board of Commissioners in general and in respect to the construction and maintenance of roads and bridges; and the acquisition of personal property, "as amended by Act No. 242, H. 381, approved July 19, 1951 (Acts of Alabama, 1951, page 516), are hereby further amended to read as follows:

"Section 8. COUNTY ENGINEER. The Board of Commissioners shall appoint a county engineer in accordance with Title 12, Section 67 of the 1940 Code. The engineer shall serve at the will and pleasure of the board and shall be paid not less than three thousand dollars (\$3,000) nor more than eight thousand dollars (\$8,000) per year.

Subject to general supervision and control by the Board of Commissioners, the engineer shall have charge of the construction and maintenance of all county roads and bridges. The county engineer shall have the power, and it shall be his duty to: (1) employ, supervise, and fix the compensation for such workmen, laborers, and overseers as are necessary to construct, repair, and maintain the roads and bridges of the county; (2) supervise and control the location, placement, use, operation, and disposition of all road-and-bridge materials, supplies, tools, machinery, and equipment; (3) make recommendations concerning the location and extent of road-and-bridge construction and maintenance projects; (4) perform such engineering and surveying services as may be required by the Board of Commissioners; (5) maintain adequate accounting records; (6) perform such other duties as may be necessary in the operation of the county highway system. The county engineer shall utilize the road equipment, materials, and labor force in accordance with the needs of the entire county for road construction and maintenance, without regard to any district boundaries.

"Section 9. PURCHASING AGENT. Subject to the supervision, regulation and control of the Board of Commissioners of Sumter County, and any rules and regulations which they may see fit to promulgate from time to time in the exercise of said authority, the County Engineer of Sumter County, shall also be the Purchasing Agent of Sumter County, with the authority to purchase, trade in, exchange, barter, lease, and sell any supplies, equipment, materials, and services which Sumter County or the Board of Commissioners of Sumter County, may have authority under the law, to purchase and pay for with county funds, and use themselves in the operation of county affairs, the construction, maintenance and operation of roads, bridges, ferries and buildings, or authority under the law to furnish to County Officers, Departments and Agencies.

"Under the aforementioned authority of the Board of Commissioners of Sumter County, the County Purchasing Agent shall have the authority: To establish standard specifications for supplies, equipment and material needed by the County or the above mentioned officers, departments and agencies. To operate a central storeroom. To require the aforementioned officers, departments and agencies to submit estimates of their requirements, and to make written, signed requisitions for the supplies needed by them. To negotiate for the purchase and acquisition of all supplies, equipment, materials and contractual services needed by the county, and said officers, departments and agencies. To promulgate reasonable rules and regulations governing the acquisition of supplies, materials and equipment, or the disposal of surplus or obsolete personal property of the county.

"The County Purchasing Agent shall solicit at least three written competitive bids for all purchases of supplies, materials, equipment, and contractual services, when the amount involved is one hundred dollars

and more. After approval of the purchase by the Chairman of the Board of Commissioners, or any member of the Board designated by the Board, the Purchasing Agent may purchase items costing one hundred dollars or more, after soliciting three bids verbally, or by telephone, telegraph or letter. The provisions regarding three competitive bids may be waived by the Board, its chairman, or other member designated by the Board, for the purchase of specialized services, or items which are not generally rendered or handled by merchants or supply houses."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared William W. Pittman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1955.

WILLIAM W. PITTMAN.

Sworn to and subscribed before me August 4th, 1955.

R. T. MASSINGILL,  
Notary Public.

By Messrs. McKay and Payne (with notice and proof):

H. 920. To provide for the appointment of a clerk of the civil and misdemeanors court of south Talladega County, and to prescribe his qualifications, duties, and compensation.

Local Legislation No. 1.

Notice and Proof H. 920:

#### A BILL TO BE ENTITLED AN ACT

##### STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To provide for the appointment of a clerk of the civil and misdemeanors court of South Talladega County, and to prescribe his qualifications, duties, and compensation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The judge of the civil and misdemeanors court of south Talladega County established by Act No. 235, H. 557, approved July 19, 1951, may, with the approval of the court of county commissioners, board

of revenue, or other governing body of Talladega County, appoint a clerk of the court, who shall keep a civil and criminal docket and a record of all proceedings had in the court, including a direct and reverse index to all civil cases and proceedings had or pending in the court, and shall perform such other duties as may be placed upon him by the judge of the court. He shall have the authority of a constable, and may execute all writs and other process issued by the court; but the fees collected for such service shall be paid into the general fund in the county treasury. The clerk, before entering upon the duties of his office, shall give bond in such penal sum as may be prescribed by the court of county commissioners, board of revenue, or like county governing body. Such bond shall be payable to Talladega County, and shall be conditioned upon the clerk's faithful discharge of his duties of office. The bond shall be filed in the office of the judge of probate of Talladega County, and the premium thereon shall be paid by the county.

Section 2. The clerk of the civil and misdemeanors court of south Talladega County shall receive as compensation for the services required of him by this two hundred dollars (\$200) per month, to be paid by the county from the general fund of the county. The exact amount of the clerk's compensation shall be fixed by the judge of the court with the approval of the court of county commissioners, board of revenue, or other like governing body of the county.

Section 3. The clerk of the civil and misdemeanors court of south Talladega County must be, at the time of his appointment and during his continuance in office, a duly qualified elector of Talladega County who resides within the territorial jurisdiction of the court.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. V. Greer, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Sylacauga News, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and Aug. 4, all in the year 1955.

**J. V. GREER.**

Sworn to and subscribed before me Aug. 4, 1955.

**LEON ARCHER,**  
Notary Public.

By Mr. Adams:

H. 921. Relating to civil remedies and procedure; amending Section 54 of Title 7, Code of Alabama (1940), which fixes the venue of actions.

**Judiciary.**

By Messrs. Callahan and deGraffenried:

H. 922. For the relief of Murray R. Lollar.

**Ways and Means.**

By Mr. Callahan:

H. 923. To apply in Counties of this State having a population of not less than 94,000 and not more than 134,000, according to the latest or any subsequent Federal Decennial Census and to further regulate the use of statements and releases procured from individuals while they are patients in any hospital.

Judiciary.

By Messrs. Selman and Shumate (with notice and proof):

H. 924. Relating to Walker County: To disqualify judges in certain cases.

Judiciary.

Notice and Proof H. 924:

STATE OF ALABAMA  
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Walker County: To disqualify judges in certain cases.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. No judge of any court, county commissioner, or justice, shall sit in any cause or proceeding now pending or hereafter instituted in Walker County in which such Judge, Commissioner, or Justice is interested, or in which he is related to either party, or to his or their attorney, or the law partner of such attorney, within the fifth degree of consanguinity, or affinity, whether such attorney be employed upon a contingency or otherwise and with or without lien, or in which he is financially indebted to either party or an attorney of either party, whether such attorney be employed upon a contingency or otherwise and with or without a lien, or in which he has been of counsel, or in which is called in question the validity of any judgment or judicial proceeding in which he was of counsel, or the validity or construction of any instrument or paper prepared or signed by him as counsel or attorney, without the consent of the parties entered of record, or put in writing, if the court is not of record, and said disqualification shall not be deemed to have been waived in any proceeding now pending or hereafter instituted without said written consent being entered of record.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

R. L. NEWTON.

7-14-55-4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. I. Dove, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Walker County Times, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1955.

W. I. DOVE.

Sworn to and subscribed before me August 8, 1955.

MRS. ANNIE DAVIS,  
Notary Public.

By Messrs. Selman and Shumate (with notice and proof):

H. 925. Relating to Walker County: To disqualify solicitors in certain cases, making it unlawful for a solicitor to act when he is disqualified, and prescribing the punishment therefor.

Judiciary.

Notice and Proof H. 925:

STATE OF ALABAMA  
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Walker County: To disqualify solicitors in certain cases, making it unlawful for a solicitor to act when he is disqualified, and prescribing the punishment therefor.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Neither the circuit, county, or deputy solicitor of Walker County or the 14th Judicial Circuit shall act for the State or county in any case or proceeding now pending or hereafter instituted in any court in the county in which he is pecuniarily interested, or in which he is related to the defendant or the defendant's attorney or the law partner of defendant's attorney within the fifth degree of consanguinity or affinity. In case of his disqualification as herein prescribed, he shall notify the court of such interest or relationship, and the court shall appoint a competent attorney to act in his place, in the manner provided in Section 235 of Title 13, Code of Alabama (1940). It shall be unlawful for any circuit, county, or deputy solicitor to act in any case in which he is disqualified as prescribed in this Act, and upon conviction of violating this Act, he shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

R. L. NEWTON.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. I. Dove, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Walker County Times, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1955.

W. I. DOVE.

Sworn to and subscribed before me August 8, 1955.

MRS. ANNIE DAVIS,  
Notary Public.

By Mr. Kelly (with notice and proof):

H. 926. To impose in Winston County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naphtha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agent for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax; to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

Local Legislation No. 1.

Notice and Proof H. 926:

LEGAL NOTICE  
NOTICE

Notice is hereby given that it is intended to apply for the enactment by the Legislature of Alabama of a local bill applicable to Winston County, Alabama, reading substantially as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To impose in Winston County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naphtha, and other liquid motor fuels or any devise or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agent for its collection: to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax; to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collections; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Definitions. Whenever used in this act, the terms defined in this section shall have the respective meaning set forth herein. "Gasoline" means gasoline, naphtha, and other liquid motor fuels, or any device or substitute therefor, commonly used in internal combustion engines; provided, however, that nothing in this act shall be held to apply to those products known commercially as "kerosene oil", "fuel oil", or "crude oil" when used for lighting, heating or industrial purposes. "The county" means Winston County, Alabama. "State Department of Revenue" means the Department of Revenue of the State of Alabama. "Person" means every person, corporation, co-partnership, company, county, municipal corporation, school board, agency of the state, other agency, or association, incorporated or otherwise, singular or plural. "Distributor" means any person who shall engage in the selling of gasoline in the county by wholesale domestic trade, but shall not apply to any transaction by such person in interstate commerce. "Retail dealer" means (a) any person herein defined as a distributor who is also engaged in the sale of gasoline products in any place in the county in broken quantities, and (b) any person who is engaged in the sale of gasoline at any place in the county in broken quantities. "Refiner" means any person who manufactures, distills, blends, compounds or mixes any one or more products in the county in the production of gasoline. "Storer" means any person who ships or causes to be shipped or receives gasoline into the county and who stores the same in any

quantities and withdraws or uses the same for any purpose. "Uses" means any person who uses or consumes gasoline in the county in any manner or for any purpose; provided, however, that the word "user" shall not include any refiner who has a refinery or refineries located in the county, and who uses gasoline in the manufacturing or refining process, or any person who holds a federal permit to blend motor fuels under the federal law and statutes, and who pays the federal excise tax on such motor fuels directly to the federal government, when such person uses gasoline in this state in such blending process. "The tax" means the excise tax herein provided for.

Section 2. Levy of the Tax. Every distributor, refiner, retail dealer, storer, or user of gasoline in the county shall collect and pay over to the State Department of Revenue, for the use of the county, an excise tax of one cent per gallon upon the selling, using, or consuming, distributing, storing, or withdrawing from storage in the county, for any use, of gasoline; provided, that the sale of gasoline in interstate commerce and the sale of gasoline to the United States or direct to the State of Alabama shall not be subject to the tax; provided further, that when the tax shall have been paid by a distributor, refiner, retail dealer, storer, or user with respect to the selling, using or consuming, distributing, storing, or withdrawing from storage of any gasoline, such payment shall be sufficient and no additional tax shall be collected and paid with respect to such gasoline, it being the intention of this act that the tax shall be paid only once. Every distributor, refiner, retail dealer, or storer of gasoline shall add the amount of the tax to the price of gasoline, it being the purpose and intent of this provision that the tax shall be a levy upon the consumer with the distributor, refiner, retail dealer or storer, or licensed user acting merely as agent for the collection of the tax. ~~The tax shall be collected by persons storing gasoline or distributing the same or allowing the same to be withdrawn from storage,~~ whether such withdrawals be for sale or other use; provided, that sellers of gasoline paying the tax shall pay the same computed on the basis of their sales and use of gasoline as herein required; refiners, storers and distributors shall compute and pay the tax on the basis of their withdrawals from storage or distributions of gasoline; and users shall compute and pay the tax on the basis of the amount of gasoline used or consumed in the county.

Section 3. This tax cumulative to all other taxes. The tax shall be in addition to any and all excise or other taxes imposed by the State of Alabama or any agency or subdivision thereof with respect to gasoline or with respect to the privilege of selling, using or consuming, distributing, storing or withdrawing from storage of gasoline.

Section 4. Withdrawals for Resale or Use Outside the County. Every distributor, refiner, storer, or retail dealer shall be exempted from collection and payment of the tax with respect to withdrawals from storage which are for the purpose of sale to a reseller located outside the county or for the purpose of reshipment to a point outside the county for delivery to and use by a consumer residing outside the county; provided, however, that to obtain such exemption any distributor, storer or retail dealer entitled to such exemption shall furnish to the State Department of Revenue a sworn written statement on the 20th day of each month showing a full, true and accurate total of all sales and shipments made during the preceding calendar month to resellers or consumers located outside said county.

Section 5. United States Certificates of Exemption. The State Department of Revenue is hereby authorized to adopt or approve forms of certificates of exemption for use by the United States in purchasing within the county gasoline that is paid for by the United States. Any



person in reporting and paying the tax to the State Department of Revenue may deduct the number of gallons of gasoline sold to the United States as shown by any such certificate of exemption duly executed by the United States and filed with such report; and the State Department of Revenue is authorized to adopt rules and regulations with respect to the issuance and use of such certificates.

Section 6. Monthly Reports and Payments. On or before the 20th day of each month following the month during which the tax shall become effective, every distributor, refiner, retail dealer, storer, or user shall render to the governing body on forms prescribed by the State Department of Revenue a true and correct statement of all sales, use, distributions, and withdrawals from storage of gasoline made during the then next preceding month, shall furnish to the State Department of Revenue such other reasonable information as the State Department of Revenue may require upon blanks to be formulated and furnished by the State Department of Revenue, and at the time of making such statement shall pay over to the State Department of Revenue an amount of money equal to the tax. The statement herein required to be made by the distributor, refiner, storer, retail dealer, or user shall be sworn to before some officer authorized to administer oaths, and any false statements so sworn to shall constitute perjury, and upon conviction thereof the person so convicted shall be punished as provided by law.

Section 7. Maintenance of Records. All distributors, refiners, storers, and retail dealers shall keep for not less than three years within the State of Alabama at some certain place or office such books, documents or papers as will clearly show the amount of sales, distributions or withdrawals from storage of gasoline made in the county and covered by this act.

Section 8. Report of Address of Distributor, Storer, or Retail Dealer. Within thirty days after the effective date of this act, every distributor, refiner, storer, or retail dealer engaged in the sale, distribution, storage or withdrawal from storage of gasoline in the county shall make a report to the State Department of Revenue on blanks furnished by the State Department of Revenue, showing the place and post office address within the county at which such person is engaged in distributing, selling, storing or withdrawing from storage gasoline. No person shall thereafter become a distributor, refiner, storer, or retail dealer of gasoline in the county until he shall have made such a report to the governing body. If any distributor, refiner, storer, or retail dealer shall, subsequent to making such report, move his place of business from one business address to another, such distributor, refiner, storer, or retail dealer shall within thirty days thereafter notify the State Department of Revenue of such removal, giving the former place and post office address and also the place and post office address to which his place of business has been removed. The information contained in all reports and notices made pursuant to the provisions of this section shall be recorded by the State Department of Revenue in a book kept for that purpose.

Section 9. Penalty for Failure to Make Reports and Keep Records. If any distributor, refiner, storer, retail dealer, or user of gasoline in the county shall fail to make any report or statement required by this act or shall fail to comply with any regulation adopted by the State Department of Revenue with respect to the collection of the tax within the time required for making any such report or statement or complying with any such regulation, or shall fail to pay the tax within the time fixed for the payment thereof, such distributor, refiner, storer, retail dealer, or user shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$50.00 or more than \$3000.00 for each offense.

Section 10. Enforcement of this Act. It shall be the duty of the State Department of Revenue to enforce the provisions of this act, and the State Department of Revenue shall have the right itself or by its agents to examine the books, records, and accounts of every distributor, refiner, storer, retail dealer, or user; shall have the power to make any and all rules and regulations necessary and proper for the collection of the tax; and shall have all powers and remedies for collection of the tax that are conferred by law upon the State Department of Revenue with respect to collection of the State Gasoline Excise Tax.

Section 11. Failure to Make Monthly Statements and Payments. If any distributor, refiner, storer, retail dealer, or user shall fail to pay over the tax to the State Department of Revenue, the amount of the tax required by this act to be paid over by such distributor, refiner, storer, retail dealer, or user, shall be deemed delinquent within the meaning of this act, and there shall be added to the amount thereof a penalty of 25 per-cent; provided, that if in the opinion of the State Department of Revenue a good and sufficient cause or reason is shown for such delinquency, the penalty may be remitted. If any distributor, refiner, storer, retail dealer, or user shall fail to make any monthly statement required herein, at the time and in the manner herein provided, or shall make a statement which is in anywise inaccurate, the State Department of Revenue is hereby authorized and empowered to make a return for such distributor, storer, retail dealer, or user upon such information as the State Department of Revenue may reasonably obtain and shall then add to the delinquent tax the penalty prescribed by this section. If any person shall be delinquent in the payment of the tax, the State Department of Revenue shall issue execution for the collection thereof directed to any sheriff of the State of Alabama, who shall proceed to levy upon and sell the property of the person who is so delinquent in payment of the tax, all in the manner now provided by law for the collection, upon delinquency, of the State Gasoline Excise Tax. The tax and any penalty added thereto under the provisions of this section shall be held as a debt payable to the State Department of Revenue, for the use of the county, by the person required hereunder to pay over the tax, and the tax and any such penalty shall be a lien upon the property in said county and elsewhere in the State of Alabama of the person who is required hereunder to pay over the tax.

Section 12. Effect of Acceptance of Less Than the Amount Due. The acceptance of any amount paid for the tax shall not preclude the collection of the amount actually due. However, the amount actually paid shall constitute a credit against the amount actually due. In event of payment of an amount in excess of the amount due the State Department of Revenue may credit such excess upon the amount of tax due for any subsequent monthly period, or such excess may be refunded pursuant to the provisions of Section 913 of Title 51 of the Code of Alabama of 1940, as amended; provided, however, that no refund shall be allowed by means of such credit unless made within three years from the date of payment of such excess.

Section 13. Limitation of Actions. All actions by the State Department of Revenue for the recovery of the tax, or any part thereof, shall be commenced within a period of three years from the date of the filing of the return with respect to the tax sought to be recovered.

Section 14. Restraint of Violators of This Act. Any distributor, refiner, storer, retail dealer, or user who shall violate any provision of this act or shall fail to comply with any rule or regulation promulgated hereunder may be restrained, and proper prosecution therefor instituted in the name of the State of Alabama by its Attorney General or by such other counsel as the State Department of Revenue shall direct, from

distributing, selling, storing or withdrawing from storage any gasoline the distribution, sale, storage, or withdrawal from storage of which is subject to the provisions of this act, until such distributor, refiner, storer, retail dealer, or user shall have complied with the provisions of this act.

Section 15. Use of Proceeds of the Tax. The total cost of collecting the tax shall be deemed to be an amount which bears the same ratio to the total cost of collecting the State Gasoline Excise Tax and all other gasoline excise taxes (including the tax) collected by the State Department of Revenue, that the total amount of collections from the tax bears to the total amount of the State Gasoline Excise Tax and all other gasoline excise taxes (including the tax) that are collected by the State Department of Revenue. An amount equal to the cost of collecting the tax shall be deducted monthly from the proceeds of the tax and allowed to the State Department of Revenue as compensation for the collection of the tax. The balance of the proceeds of the tax remaining each month shall be certified by the State Department of Revenue to the State Treasurer as belonging to the county, and on or before the tenth day of each month following the month in which collected the balance of such proceeds shall be paid by state warrant to the treasurer or depository of the county. All moneys received by the treasurer or depository of the county under the provisions of this act shall be deposited by such treasurer or depository in a separate fund or account to be designated "Winston County One Cent Gasoline Tax Fund." The moneys in said fund shall be used exclusively for the construction, reconstruction, maintenance, and repair of public highways and bridges in the county, including the payment of the principal of and the interest on any securities and other obligations that may be issued or incurred, in accordance with the provisions of general law, by the county for the purpose of financing any such construction or reconstruction or refunding any obligations issued for such construction or reconstruction.

Section 16. Severability. If any section, clause, provision or portion of this act shall be held by any court of competent jurisdiction to be invalid or unconstitutional, such holding shall not affect any other section, clause, or provision of this act which is not in and of itself unconstitutional.

Section 17. Effective Date. This act shall become effective at 12:01 A.M. on the month following its approval by the Governor or its otherwise becoming a law.

GTB-7-1-5-12-19

#### PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA  
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 1st day of July, 1955, and the last copy of said publication appearing in the said paper on the 19th day of July, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 8th day of August, 1955.

R. J. THORNTON,  
Notary Public.

By Mr. Dement (with notice and proof):

H. 927. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 927:

STATE OF ALABAMA,  
COUNTY OF LIMESTONE.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Athens, in the County of Limestone, and State of Alabama, ~~be and the same are hereby altered~~ and extended so as to include within the corporate limits of said City all the following described additional territory lying within the County of Limestone and not presently included in the boundaries of said City to-wit:

All that part of the Southwest Quarter of the Southeast Quarter of Section 8, Township 3 South, Range 4 West which lies West of the right of way of the Louisville and Nashville Railroad and South of the existing corporate limit line running East and West across the North part of said quarter-quarter section, the part therein described being more fully designated as beginning at the Southwest corner of the Southeast quarter of said Section 8 and running North along Houston Street 780 feet to the present corporate limit line; thence east along said corporate limit line 1124 feet to the right of way of the said Louisville and Nashville Railroad; thence South along said railroad right of way 780 feet to the South boundary of said Section 8, thence West with the section line 1124 feet to the point of beginning.

Section 2. That all laws or parts of laws that conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 14

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me

first duly sworn, deposes and says that during the time herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me Aug. 3, 1955.

LOLA L. ORR,  
Notary Public.

By Mr. Dement (with notice and proof):

H. 928. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 928:

STATE OF ALABAMA,  
COUNTY OF LIMESTONE.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Athens, in the County of Limestone, and State of Alabama, be and the same are hereby altered and extended so as to include within the corporate limits of said City all the following described additional territory lying within the County of Limestone and not presently included in the boundaries of said City, to-wit:

A part of the East half of the Southwest Quarter of Section 9, Township 3 south, Range 4 West, that lies outside of the present corporate limits and is contiguous thereto, and the West Half of the southeast quarter of said Section 9, Township 3 south, Range 4 West, the whole area being more particularly described as follows: Begin at the northeast corner of the said West half of the southeast quarter of said Section 9 and in the Nick Davis Road and run thence South along the East boundary of the said West Half of the Southeast quarter of said Section 9, a distance of 2695 feet to the south boundary of said section 9; thence west along the south boundary of Section 9 a distance of 1876.5 feet; thence leaving the Section line and running North 2695 feet along a line which coincides with the east boundary and the east boundary of the present City limits produced in a southerly direction to a point on the quarter section line in the center of Forrest Street and 555 feet West of the center of said Section 9; thence East along the said Quarter Section line and in the center of said Street 1876.5 feet to the point of beginning.

Section 2. That all laws or parts of laws that conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 14

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Ala. Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me Aug. 3, 1955.

LOLA L. ORR,  
Notary Public.

By Mr. Dement (with notice and proof):

H. 929. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 929:

#### STATE OF ALABAMA, COUNTY OF LIMESTONE.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Athens, in the County of Limestone and State of Alabama, be and same are hereby altered and extended so as to include within the corporate limits of said City all the following described additional territory lying within the County of Limestone and not presently included in the boundaries of said City, to-wit:

All that part of the Southeast Quarter of Section 6, Township 3 South, Range 4 West which lies North of the right of way of the Buck

Island Road, South of the right of way of the Fifth Avenue as produced westward, and West and North of the present City limits line the tract of land being further described as beginning at the Northwest corner of the Southeast Quarter of the Southeast quarter of said Section 6 and running thence East along the Quarter-Quarter Section line which is also along the present corporate limits line 932 feet; thence leaving the Quarter-Quarter Section line and running North along the present corporate limits line 1300 feet to a point on the South margin of said Fifth Avenue as produced West; thence leaving the present corporate limits line and running West along the South right of way line of said Fifth Avenue 2156 feet to the West boundary of said Southeast Quarter of Section 6; thence South along the Quarter Section line 190 feet to the North right of way line of the Buck Island Road; thence southeast along the North right of way line of said road 2036 feet to a point on the West boundary of the Southeast Quarter of the Southeast Quarter of said Section 6; thence North along the Quarter-Quarter Section line which is also the present City limits line 282 feet to the point of beginning.

Section 2. That all laws or parts of laws that conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 14

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me Aug. 3, 1955.

LOLA L. ORR,  
Notary Public.

By Mr. Dement (with notice and proof):

H. 930. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 930:

STATE OF ALABAMA,  
COUNTY OF LIMESTONE.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Athens, in the County of Limestone and State of Alabama, be and the same are hereby altered and extended so as to include within the corporate limits of said City all the following described additional territory lying within the County of Limestone and not presently included in the boundaries of said City, to-wit:

All that part of the North half of the North half of Section 9, also all that part of the South Half of the South Half of Section 4, all in Township 3 South, Range 4 West, which lies East of and adjacent to the East boundary of the corporate limit line of the City of Athens, Alabama and West of the right of way of a newly constructed Federal Highway designated as U. S. 31; the entire tract of land being further described as beginning at a point on the present City limits line 555 feet West of the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 4 and run thence East along the Quarter-Quarter Section line 2606 feet to a point on the West boundary of said Highway 31 and at station 93-78 on said highway; thence leaving the Quarter-Quarter Section line and running South 16 degrees and 5 minutes West along the West boundary of said Highway 2889.7 feet to a point 63 feet West of the Northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 9; thence West along the Quarter-Quarter Section line which is also the present corporate limit line a distance of 1813.5 feet to a point 1347 feet North of the Quarter Section line which runs East and West through the center of said Section 9, thence running North along the present corporate limit line 2694 feet to the point of beginning.

Section 2. That all laws or parts of laws that conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 14

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1955.

STEELE MCGREW.



Sworn to and subscribed before me Aug. 3, 1955.

LOLA L. ORR,  
Notary Public.

By Messrs. Boyd, Stokes and Bassett:

H. 931. To amend Section 1 of Act No. 131, S. 9, approved July 12, 1955, regulating the compensation of certain circuit judges.

Judiciary.

By Mr. Ferrell (with notice and proof):

H. 932. To provide for the manner of electing the members of the DeKalb County Board of Education, and to specify their election of one member thereof from each of the Commissioners Districts of DeKalb County, Alabama, and one member at large from said county and to provide their terms of office.

Local Legislation No. 1.

Notice and Proof H. 932:

### NOTICE

STATE OF ALABAMA,  
DEKALB COUNTY.

Notice is hereby given that at the present (1955) regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made; to-wit:

### A BILL TO BE ENTITLED AN ACT

To provide for the manner of electing the members of the DeKalb County Board of Education, and to specify their election of one member thereof from each of the Commissioners Districts of DeKalb County, Alabama, and one member at large from said county and to provide their terms of office.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There shall be elected by the qualified electors of the entire county five (5) members of the DeKalb County Board of Education of DeKalb County, Alabama. One member shall be elected from each of the four Commissioners or Board of Revenue Districts of DeKalb County, and shall be a qualified elector and bona fide resident of the district from which he is elected. There shall be one member of the Board elected from the County at large, who may reside in any part of the County.

SECTION 2. The members of the DeKalb County Board of Education shall be elected for a term of six (6) years, and shall be for staggered terms as follows: One member from the first Commissioners or Board of Revenue District at the expiration of the term of the present member of the Board, Honorable Bill Russell, who resides in said district, at the general election of state and county officers to succeed the member whose term of office shall expire at that time; and one member from the second Commissioners or Board of Revenue District at the expiration of the term of the present member of the Board, Honorable Joe F. Campbell; who resides in said District, at the general election of state and county officers to succeed the member whose term of office shall expire at that time; and one member from the third Commis-

sioners or Board of Revenue District at the expiration of the term of the present member of the Board, Honorable Herman Watson, who resides in said district, at the general election of state and county officers to succeed the member whose term of office shall expire at that time; and one member from the fourth Commissioners or Board of Revenue District, at the expiration of the term of the present member of the Board, Honorable J. T. Shirey, who resides in said district, at the general election of state and county officers to succeed the member whose term of office shall expire at that time; and one member of the Board at large at the expiration of the term of the present member of the Board, Honorable Hoyt Rains, at the general election of state and county officers to succeed the member of the Board who is to be elected from the County at large, whose term shall expire at that time.

SECTION 3. The present members of the DeKalb County Board of Education shall hold office until the expiration of their respective terms and until their successors are elected and qualified.

SECTION 4. The members of the DeKalb County Board of Education shall exercise all the powers and duties pertaining to the school system of DeKalb County as now or hereafter may be authorized by law, and receive the same per diem as now or hereafter may be authorized by law.

SECTION 5. The sections of this Act and the parts of each section are hereby declared to be independent sections and parts of sections, and the holding of any part or section thereof to be void, ineffective or unconstitutional by the Courts of the State of Alabama, or the United States Court, shall not effect the other sections or parts thereof; it being now declared that the other parts or other sections would have been enacted regardless of any section or part of sections which might be held unconstitutional, inoperative or ineffective.

SECTION 6. All laws and parts of laws, both local and general in conflict with the provisions of this act are hereby repealed in so far as relates to DeKalb County.

SECTION 7. This Act shall go into effect upon its passage and approval by the Governor or its otherwise becoming a law.

#### STATE OF ALABAMA

#### DEKALB COUNTY

Before me, W. M. Beck, a Notary Public in and for said County in said State, personally appeared E. O. Davidson, who being by me first duly sworn, deposes and says: That he is publisher of the "Fort Payne Journal," which during the times herein mentioned was a newspaper of general circulation published in DeKalb County, Alabama, and that the foregoing notice was published without cost to the state of Alabama in said newspaper in the issues thereof, published on June 29, July 6, July 13, and July 20, 1955.

E. O. DAVIDSON.

Sworn to and subscribed before me this 2nd day of August, A. D., 1955.

W. M. BECK,  
Notary Public.

By Mr. Gist (with notice and proof):

H. 933. Relating to Jackson County; abolishing the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and creating in lieu thereof the Jackson County

Fine Forfeiture Fund; transferring funds in the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County to the Jackson County Fine and Forfeiture Fund; providing for the payment of existing claims against the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and for the payment of future claims which may arise against the Jackson County Fine and Forfeiture Fund; providing for the re-registration of existing claims against the general fine and forfeiture fund of Jackson County and barring existing claims that are not registered and existing claims that are not re-registered; making the circuit clerk the custodian of the Jackson County Fine and forfeiture Fund and fixing the compensation of the circuit clerk for his services rendered as custodian; providing for the appointment of a clerical assistant for the re-registration of claims against the general fine and forfeiture fund of Jackson County; providing for the transfer of surplus funds in the Jackson County Fine and Forfeiture Fund to the general fund of the county; and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 933:

#### NOTICE

#### STATE OF ALABAMA COUNTY OF JACKSON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-witt:

#### A BILL TO BE ENTITLED AN ACT

Relating to Jackson County; abolishing the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and creating in lieu thereof the Jackson County Fine Forfeiture Fund; transferring funds in the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County to the Jackson County Fine and Forfeiture Fund; providing for the payment of existing claims against the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and for the payment of future claims which may arise against the Jackson County Fine and Forfeiture Fund; providing for the re-registration of existing claims against the general fine and forfeiture fund of Jackson County and barring existing claims that are not registered and existing claims that are not re-registered; making the circuit clerk the custodian of the Jackson County Fine and forfeiture Fund and fixing the compensation of the circuit clerk for his services rendered as custodian; providing for the appointment of a clerical assistant for the re-registration of claims against the general fine and forfeiture fund of Jackson County; providing for the transfer of surplus funds in the Jackson County Fine and Forfeiture Fund to the general fund of the county; and repealing conflicting laws.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County are hereby abolished, and there is created in lieu thereof the Jackson County Fine and Forfeiture Fund.

Section 2. The custodian of the Jackson County Court fine and forfeiture fund and the custodian of the general fine and forfeiture fund of Jackson County shall transfer all money on hand in such funds on the effective date of this Act to the Jackson County Fine and Forfeiture Fund. Thereafter, all claims which would be claims against or payable from the Jackson County Court fine and forfeiture fund or the general fine and forfeiture fund of Jackson County except for this Act shall be claims against and shall be paid from the Jackson County Fine and Forfeiture Fund; and all funds which would be payable into the Jackson County Court fine and forfeiture fund or the general fine and forfeiture fund of Jackson County except for this Act shall be paid into the Jackson County Fine and Forfeiture Fund.

Section 3. All unpaid claims registered against the general fine and forfeiture fund of Jackson County on the effective date of this Act shall be barred and the payment thereof prohibited unless re-registered as claims against the Jackson County Fine and Forfeiture Fund within ninety days from such date. The circuit clerk may appoint a clerical assistant to re-register such claims. The clerical assistant so appointed shall receive a total of one hundred dollars (\$100.00) out of the general funds of the county for services rendered in re-registering such claims. No claim against the general fine and forfeiture fund of Jackson County which is unregistered on the effective day of this Act shall be registered against the Jackson County Fine and Forfeiture Fund or paid therefrom. All claims against the Jackson County Court fine and forfeiture fund are hereby declared to be claims against the Jackson County Fine and Forfeiture Fund without the necessity for re-registration.

Section 4. Such claims as are re-registered against the Jackson County Fine and Forfeiture Fund in accordance with the preceding section, and all claims existing against the Jackson County Court fine and forfeiture fund shall be paid in the order of their prior registration against the Jackson County Court fine and forfeiture fund or the general fine and forfeiture fund of Jackson County, as the case may be, upon presentation of the certificates therefor by the lawful holders. All claims existing against the Jackson County Court fine and forfeiture fund shall be paid at par. The money transferred from the general fine and forfeiture fund of Jackson County to the Jackson County Fine and Forfeiture Fund shall be pro-rated to pay the claims registered against the general fine and forfeiture fund, or until at least twenty-five percent of the original amount of each such registered claim has been paid.

Section 5. The clerk of the circuit court of Jackson County shall be custodian of the Jackson County Fine and Forfeiture Fund and shall register all claims against the fund in a well-bound book provided for that purpose. All claims against the Jackson County Fine and Forfeiture Fund shall be paid upon certificate of the circuit clerk stating that the claims have been properly registered and are legal claims against such fund. The circuit clerk shall receive compensation in the amount of one hundred fifty dollars (\$150.00) per annum for services rendered as custodian of the Jackson County fine and forfeiture fund, out of the General Funds of The County.

Section 6. The claims of the sheriff and the circuit clerk of Jackson County, and the claims of witnesses for the State for fees in preliminary proceedings when the case is nol-prossed or dismissed, or the grand jury fails to indict, or the defendant is acquitted in the circuit court, shall be allowable claims against the Jackson County Fine and Forfeiture Fund. The fees of the circuit clerk for issuing writs on affidavits in misdemeanor cases when the case is nol-prossed, or the defendant is acquitted, or execution against the defendant is returned "No Property Found," shall be allowable claims against such fund.

Section 7. The claims of the sheriff and the circuit clerk, when registered, shall be on a par with witness claims, and all claims against the Jackson County fine and forfeiture fund shall be paid in the order of their registration.

Section 8. At the beginning of each fiscal year, the circuit clerk shall transfer to the general fund of the county any surplus funds in the Jackson County Fine and Forfeiture Fund over and above the amount of all claims registered against the Jackson County Fine and Forfeiture Fund.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 714A4

### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1955.

P. W. CAMPBELL.

Sworn to and subscribed before me August 5, 1955.

C. O. REED,  
Notary Public.

By Messrs. Callahan and deGraffenried:

H. 934. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census, and to further regulate the number of meetings allowed to be held by the County Boards of Education in such counties.

Local Legislation No. 1.

By Messrs. Brewer and Gilchrist:

H. 935. To regulate further the insuring of school buildings and other school property in counties having a population of not less than 50,000 nor more than 54,000 inhabitants, according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Meeks, Nice, Kaul, Perry, Vacca, Lackey and Edwards (Jefferson):

H. 936. To further amend Section 793, of Title 37 of the 1940 Code of Alabama, as heretofore amended by Act No. 857 of the Regular Session of the Legislature of Alabama of 1953 (General Acts of Alabama of 1953, p. 1147), approved September 19, 1953.

Local Legislation No. 2.

By Messrs. Meeks, Nice, Perry, Vacca, Kaul, Edwards (Jefferson) and Lackey:

H. 937. To amend Sections 4 and 8 of an Act of the Legislature approved September 4, 1951, General Acts of Alabama of 1951, page 1132, entitled: "An Act to levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of, two cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the county for division, or distribution, between such county and the municipalities located therein; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act."

Local Legislation No. 2.

By Messrs. Lackey, Nice, Vacca, Perry, Kaul and Edwards (Jefferson):

H. 938. To fix the compensation or salary of the Circuit Clerk of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2.

By Messrs. Lackey, Perry, Vacca, Kaul, Meeks and Edwards (Jefferson):

H. 939. To provide for the compensation to be paid certain Deputy Circuit Solicitors by counties having a population of four hundred Thousand (400,000) or more according to the last or any succeeding decennial federal census.

Local Legislation No. 2.

By Messrs. Lackey, Nice, Vacca, Perry, Kaul, Meeks and Edwards (Jefferson):

H. 940. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2.

By Messrs. Nice, Lackey, Vacca, Perry, Kaul, Meeks and Edwards (Jefferson):

H. 941. To fix the salary of the Judge of the Juvenile & Domestic Relations Court of any County in this state having a population of more than 400,000 according to the last or any subsequent federal decennial census.

Local Legislation No. 2.

By Messrs. Lackey, Meeks, Nice, Kaul, Edwards (Jefferson) and Perry:

H. 942. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census, and to fix the time and

regulate the mode of payment of such salaries; To provide that this act shall become effective on the first Monday of November, 1957.

**Local Legislation No. 2.**

By Messrs. Meeks, Lackey, Kaul, Nice, Perry, Edwards (Jefferson), and Vacca:

H. 943. To fix the compensation or salaries of tax assessors and tax collectors in counties of 500,000 inhabitants, or more, according to the last or any subsequent federal census; and to require such officers to pay in to the county treasury of such county, or counties, all fees, commissions, costs or other emoluments which are now allowed by law.

**Local Legislation No. 2.**

By Messrs. Meeks, Lackey, Nice, Perry, Edwards (Jefferson) and Kaul:

H. 944. TO provide for the selection, election and term of office of members of the governing body of any city which may now or hereafter have a population of 250,000 or more inhabitants according to the last or any succeeding federal census; to provide for the filling of vacancies on the governing body of any such city; to provide for the distribution of powers and duties into and among three departments of government and the assignment thereof among the members of the governing body of any such city; to provide that any person heretofore elected to the office of president of the commission or commissioner upon the governing body of any such city and assigned by the commission thereof to and serving as head of the Department of General Administration, Finances and Accounts or the Department of Public Improvements or the Department of Public Safety on the 31st day of December, 1954, shall not be subject to change in such assignment by the commission of such city; to provide that this Act shall not apply to any city governed under the provisions of Act No. 518 of the 1953 Session of the Legislature; to provide that all powers vested in any such city by this Act, by the laws general and local of the State and by Title 62, Code of Alabama of 1940, as amended, shall be vested in the commission of such city; to provide when the various provisions of this Act shall become applicable to any such city; to repeal all laws or parts of laws in conflict with the provisions of this Act; and to provide for the severability of any section, clause, provision or portion of this Act should any such section, clause, provision or portion be held invalid by any court of competent jurisdiction.

**Local Legislation No. 2.**

By Messrs. Perry, Lackey, Nice, Vacca, Kaul and Edwards (Jefferson):

H. 945. To fix the compensation or salary of the Treasurer of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

**Local Legislation No. 2.**

By Messrs. Meeks, Nice, Kaul, Perry, Vacca, Lackey and Edwards (Jefferson):

H. 946. To amend Section 788 of Title 37 of the 1940 Code of Alabama.

**Local Legislation No. 2.**

By Messrs. Perry, Lackey, Nice, Vacca, Kaul, Meeks and Edwards (Jefferson):

H. 947. To fix the compensation or salary of the Sheriff of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2.

By Messrs. Meeks, Lackey, Kaul, Perry, Vacca, Edwards (Jefferson), and Nice:

H. 948. To increase the compensation of the Judge of any Court in the Counties of over 400,000 according to the last and any subsequent federal census where such judge is elected by the Circuit judges of such counties and said judge has original jurisdiction only to try misdemeanor cases and has jurisdiction as a committing magistrate in felony cases and has no authority to try civil cases nor domestic relation cases and also has jurisdiction in bastardy proceedings which increase is to begin at the beginning of the new term of office of said judge.

Local Legislation No. 2.

By Messrs. Meeks, Edwards (Jefferson), Nice, Vacca, Kaul, Lackey and Perry:

H. 949. To fix the compensation or salary of the Deputy Circuit Clerk created under Title 13, Section 199 of the Code of Alabama 1940, for the division of the tenth judicial circuit described therein. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2.

By Mr. Brassell:

H. 950. To make it unlawful for any official, employee, or agent of any bank to disclose the balance in the account of any depositor in the bank, except upon express authorization by the depositor or upon an order of a court of competent jurisdiction; to prescribe penalties for violation of the Act; and to provide that the depositor may sue and recover damages on account of such unlawful disclosure.

Judiciary.

By Messrs. Goodwyn, Hall, Nolen, Dawkins, Adams, deGraffenried, Hain, Steagall, Hawkins, Vacca, Perry, Lee (Lawrence), Nice, Davis, Pruitt, Harvey and Kendall:

H. 951. To amend Section 152 of Title 41, Code of Alabama 1940, as amended, by an Act entitled "An Act to amend Section 152 of Title 41 of the Code of Alabama, 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951.

Ways and Means.

By Messrs. Murphy, Simon and Tyson (with notice and proof):

H. 952. Relating to Mobile County; levying a privilege license tax upon every person, firm, or corporation selling, delivering, or withdrawing from storage or keeping in storage for sale or delivery in Mobile County, any gasoline, naphtha, and other liquid motor fuels, or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude oil" commonly used for lighting, heating, or industrial purposes; providing that the amount of any municipal excise tax levied on such motor fuels and paid to any municipality in Mobile County shall be a credit toward the payment of the tax levied by this Act; providing for the enforcement



and collection of the tax; providing for the distribution of the proceeds thereof among the county and the incorporated cities and towns in the county; and prescribing penalties for violations of this Act.

Local Legislation No. 1.

H. 952 Notice and Proof:

**STATE OF ALABAMA  
COUNTY OF MOBILE.**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to Mobile County; levying a privilege license tax upon every person, firm, or corporation selling, delivering, or withdrawing from storage or keeping in storage for sale or delivery in Mobile County, any gasoline, naphtha, and other liquid motor fuels, or any devices or substitutes, therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude oil" commonly used for lighting, heating, or industrial purposes; providing that the amount of any municipal excise tax levied on such motor fuels and paid to any municipality in Mobile County shall be a credit toward the payment of the tax levied by the Act; providing for the enforcement and collection of the tax; providing for the distribution of the proceeds thereof among the county and the incorporated cities and towns in the county; and prescribing penalties for violation of this Act.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby levied a county privilege or license tax upon every person, firm or corporation selling, delivering, or withdrawing from storage or keeping in storage for sale or delivery in Mobile County, any gasoline, naphtha, diesel fuel, or other liquid motor fuels, or any device or substitute therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude oil" commonly used for lighting, heating, or industrial purposes, in an amount equal to two cents (\$.02) per gallon sold, delivered, withdrawn from storage, or kept in storage for sale or delivery. Provided, however, that the tax provided for by this Act shall not be levied or paid on the sales of such motor fuels in interstate commerce, or to the federal government or any agency of the federal government, or to the State of Alabama, or to any incorporated municipality for municipal purposes, or to such motor fuels which are withdrawn from storage within Mobile County for delivery only to a point or points outside Mobile County, when the distributor or seller of such motor fuels prepares and files with the tax collector of Mobile County written statements sworn and subscribed to showing the name and address to the person and to whom such motor fuels are or have been delivered by the distributor or seller, the volume and kind of such motor fuels and the dates of such withdrawals, and the point or points outside the county to which the motor fuels are delivered, or are to be delivered. Where the excise tax levied herein upon the sale, use, distribution, storage, or withdrawal from storage in Mobile County of such motor fuels shall have been paid to the tax collector of Mobile County by any person, firm, or corporation, such payment shall be sufficient, the intent being that the tax shall be paid but once.

Section 2. Every person, firm or corporation upon whom the taxes levied by this Act are imposed shall, on or before the fifteenth day of

each month, file with the tax collector of Mobile County, on forms to be prescribed by the County governing body, a written statement, sworn and subscribed to, which shall show: 1) the name and address of the taxpayer; 2) the amount of all sales and withdrawals of motor fuels liable for payment of the tax levied herein made during the next preceding month; 3) the amount of the sales or withdrawals of such motor fuels which are not subject to the tax, or are not to be used as a measurement of the taxes due by such taxpayer, and the nature thereof; and 4) such other information as the county governing body may demand. At the time of making such monthly statement or report, each taxpayer shall compute the amount of taxes due, and shall pay to the tax collector of Mobile County the amount of the taxes shown to be due; provided, however, that the amount of any municipal excise tax levied on such motor fuels and paid to any municipality in Mobile County shall be allowed as a credit toward and shall be deducted from the amount of the tax due the county under the provisions of this Act, when the distributor or seller of such motor fuels prepares and files with the tax collector of Mobile County written statements sworn and subscribed to showing the volume and kind of such motor fuels on which a municipal excise tax has been paid, the amount of such tax paid each municipality, and the name of the municipality to which paid.

Section 3. It shall be the duty of every person, firm, or corporation upon whom a privilege or license tax is imposed by this Act to keep and preserve suitable books, accounts, papers, documents, and such other records as will clearly show the amount of sales or withdrawals of motor fuels made in Mobile County and subject to the tax levied herein. Such records shall be open, during reasonable hours at the place of business of such person, firm, or corporation, for inspection and examination by the tax collector, or his agent, or by such other person as may be designated under any rules or regulation adopted and promulgated by the governing body of Mobile County.

Section 4. The governing body of Mobile County shall promulgate and adopt rules and regulations necessary for the enforcement and collection of the tax levied herein.

Section 5. The proceeds of the tax levied herein shall be paid by the tax collector as follows: 1) One-half of such proceeds shall be paid into the road and bridge fund of Mobile County; and 2) one-half of such proceeds shall be pro rated among the incorporated cities and towns within Mobile County on the basis of the population of such cities or towns.

Section 6. Any person, firm, or corporation who violates any provision of this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law. Each day a violation continues shall constitute a separate offense.

Section 7. Any person, firm, or corporation who fails to pay the tax herein levied within the time required by this Act shall pay, in addition to the tax, a penalty of 10 per cent of the amount of tax due, together with interest thereon at the rate of one-half of one per cent per month, or fraction thereof, from the date at which the tax herein levied became due and payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 8. If any provision of this Act, or the application thereof to any person, firm, or circumstance, is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder of the Act and the application thereof to any person, firm, or corporation shall not be affected by such declaration.

Section 9. This Act shall become effective on the first day of the first month next following the date of its passage and approval.

Approved:

M. THOMAS MURPHY  
GARRETT VAN ANTWERP  
OTTO SIMON  
JOHN M. TYSON

Reg. July 18, 25; Aug. 1, 8

W. M. Curran being sworn, says that he is auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 18, 25, August 1, 8, 1955.

W. M. CURRAN.

Sworn to and subscribed before me This 8th day of August, 1955.

ALVIN A. JOHNSON,  
Notary Public.

By Messrs. Stokes, deGraffenried and Roberts:

H. 953. To provide for the naming of an assistant attorney general as election inspector; to designate the circuit solicitors of the state as the representatives of the attorney general's office in regard to re-identification and registration of voters; and to prescribe the powers and duties in connection with the administration of the election laws of this state.

Judiciary.

#### BILLS ON THIRD READING

H. 562. To fix the salary of the stenographic secretary to the Circuit Solicitor of the Sixth Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

#### Yeas:

Mr. Speaker	deGraffenried	Hodges	Nettles
Adams	Dement	Holliman	Nolen
Albea	DeSear	Jenkins	Oakley
Ashworth	Dickson	Johnson (Tallapoosa)	Oden
Bassett	Edwards (Escambia)	Kelly	Payne
Boyd	Ferrell	Kendall	Pirkle
Bradford	Franklin	Killough	Ramey
Brassell	Gilchrist	Lee (Barbour)	Reynolds
Brewer	Gregory	Lee (Lawrence)	Richardson
Broadfoot	Grouby	Locke (Choctaw)	Shumate
Brown (Lamar)	Hain	Locke (Perry)	Simon
Brown (Lee)	Hall	Love	Solomon
Burkhalter	Haltom	McClendon	Steagall
Callahan	Hamby	McKay	Stembridge
Cornett	Hardy	McNider	Taylor
Cox	Hare	Martin	Thomas
Crook	Harrison	Mathison	Ward
Davis	Harvey	Molette	Wood
Dawkins	Hawkins		

## H. 802 POSTPONED

On motion of Mr. Kelly, consideration of the bill, H. 802, was postponed until the thirty-first legislative day.

And the bill:

H. 53. Relating to the election of the municipal governing body in any city, governed by a mayor and council and having a population of not less than 6,125 nor more than 6,725 inhabitants, in which the qualified voters approve the adoption of the provisions of this Act at a referendum election held pursuant to this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

## Yeas:

Mr. Speaker	Dawkins	Hawkins	Nettles
Adams	deGraffenried	Hodges	Nice
Albea	Dement	Holliman	Nolen
Ashworth	DeSear	Johnson (Tallapoosa)	Payne
Bassett	Dickson	Kelly	Pirkle
Boyd	Edwards (Escambia)	Killough	Reynolds
Bradford	Faulk	Lee (Barbour)	Richardson
Brannan	Ferrell	Lee (Lawrence)	Simon
Brewer	Franklin	Locke (Choctaw)	Solomon
Brooks	Gilchrist	Locke (Perry)	Steagall
Brown (Lee)	Gregory	Love	Taylor
Burkhalter	Hall	McClendon	Thomas
Cornett	Hanby	McKay	Vacca
Cox	Hardy	McNider	Ward
Crook	Hare	Martin	Wood
Davis	Harvey	Molette	

—63

And the bill:

H. 585. Relating to Counties having a population of not less than 94,000 nor more than 134,000 inhabitants according to the last or any subsequent decennial census of the United States; regulating the business of operating certain cemeteries within such Counties.

Was taken up.

Mr. deGraffenried offered the following substitute for the bill, H. 585:

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to Counties having a population of not less than 94,000 nor more than 134,000 inhabitants according to the last or any subsequent decennial census of the United States; regulating the business of operating certain cemeteries within such Counties.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. This Act shall apply only in Counties having a population of not less than 94,000 nor more than 134,000 inhabitants according to the last or any subsequent decennial census of the United States.

Section 2. Definitions: When used in this Act, the following words and phrases have the meanings respectively ascribed to them in this Section, except in those instances where the context clearly indicates a different meaning:

(a) The term "cemetery" means any land or structure located in any such County dedicated to and used, or intended to be used, for the interment of human remains, owned by any individual, association or corporation, other than a religious or municipal corporation or association, or the State or Federal Government.

(b) "Lot", or "burial space" means a space in a cemetery to be used or intended to be used for interment of human remains.

(c) "Burial right" means a right of interment granted in writing by the owner of a cemetery.

(d) "Endowment care" means the cutting of the grass at reasonable intervals, and the general preservation of the cemetery lots, and the cemetery grounds, walks and road-ways, to the end that said grounds shall permanently remain and be reasonably cared for as cemetery grounds.

(e) The term "owner of a cemetery" and "cemetery owner" shall mean the person, firm, association or corporation who operates and conducts the business of such cemetery.

(f) The term "gross sale price" means the price the purchaser pays for the use of a cemetery lot.

Section 3. Plats and Survey; Recording: Subsequent to the effective date of this Act, the owner of every cemetery located in any such County shall, before the granting and/or selling any burial rights in any part of its property, cause to be recorded in the office of the cemetery owner an accurate survey and plat of that part of its property in which it proposes to grant and/or sell burial rights; said survey and plat to show all lots, walks, and drives therein, all with descriptive names and/or numbers, and thereafter the same shall be held, occupied, and used exclusively for such purposes. Prior to the grant and/or sale of burial rights, all lots shall be permanently marked and shall be made suitable for burial in the area or section in which burial rights are to be granted and/or sold. Provided, however, that any such owner may vacate all or any part of such recorded plat in which no burial rights have been granted and/or sold by making and filing as above provided a new or altered plat and survey of such cemetery or portion thereof, but no such vacation or alteration of any such plat shall be valid which changes the portion of the cemetery in which any burial rights have theretofore been granted therein. Provided, however, that no plat or survey must be recorded until after a license has been duly issued by the proper licensing authority.

Section 4. Endowment Care Fund: The owner of every cemetery shall provide for the creation and establishment of an irrevocable endowment care fund, the principal of which shall permanently remain intact, and the net income only thereof shall be devoted to the care of the said cemetery and which principal shall be known as the "endowment care fund" of such cemetery. This fund shall be created and established by the application and payment thereof of an amount equivalent to a minimum of Fifteen (15%) per cent of the gross sales price of all lots, plots or burial spaces sold subsequent to the effective date of this Act.

From the sales price, or payment or payments thereon, said owner shall pay an amount according to the foregoing requirements in said

care fund, which said payment shall be in cash and shall be deposited with the custodian or trustee of the said fund not later than thirty (30) days after the close of the month in which payments on said sales are received. The endowment care fund shall be deposited, and held in trust in a banking institution having trust powers, located in the County selected by the cemetery owner. The cemetery owner may enter into a contract with the banking institution for the management and investment of the endowment care fund, which contract may provide for the payment out of income from the fund of reasonable fees or commissions to the banking institution, having trust powers. Under no circumstances shall the cemetery owner or any person connected directly or indirectly with the said cemetery be permitted to borrow any portion of the said endowment care fund.

No license or permit to establish or extend a cemetery in the future shall be issued by the Judge of Probate and Commissioners or by the Mayor and Council of an incorporated City or town within any such County, for the establishment or extension of a cemetery in the future unless and until the applicant for a license or permit therefor has submitted to the Judge of Probate and Commissioners of the County, or the Mayor and Council of an incorporated City or Town, as the case may be, a copy of the endowment care fund agreement or trust agreement which must be in conformity with the provisions of this Act and which the cemetery owner proposes and agrees to enter into upon the granting of the said license. After the granting of the said license or permit to establish or extend the said cemetery, no change or alteration may be made in the terms of the endowment care fund agreement or trust agreement so approved unless the prior consent of the Judge of Probate and Commissioners of the County, or the Mayor and Council of an incorporated City or Town, as the case may be, has been obtained.

Section 5. Violation of Act — Penalty: Any person who shall willfully violate any provision of this Act, shall be guilty of a misdemeanor, and upon conviction of shall be fined not less than Fifty (\$50.00) Dollars, nor more than Five Hundred (\$500.00) Dollars, or shall be imprisoned not more than six months, or both.

Section 6. Severability: If any part or parts of this Act shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this Act.

Section 7. Effective Date: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 70; Nays 0.

#### Yeas:

Mr. Speaker	Burkhalter	Ferrell	Hawkins
Adams	Callahan	Franklin	Hodges
Albea	Cornett	Gilchrist	Holliman
Ashworth	Cox	Goodwyn	Jenkins
Bassett	Crook	Gregory	Johnson (Tallapoosa)
Boyd	Davis	Hain	Killough
Brassell	Dawkins	Hall	Lee (Barbour)
Brewer	deGraffenried	Haltom	Lee (Lawrence)
Broadfoot	Dement	Hanby	Locke (Choctaw)
Brooks	DeSear	Hardy	Locke (Perry)
Brown (Lamar)	Edwards (Escambia)	Hare	Love
Brown (Lee)	Faulk	Harvey	McClendon

McKay	Payne	Solomon	Thomas
Martin	Pirkle	Speaks	Vacca
Molette	Ramey	Steagall	Ward
Nettles	Reynolds	Stembridge	Windle
Nice	Richardson	Taylor	Wood
Nolen	Simon		

—70

And said bill, H. 585, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

**Yeas:**

Mr. Speaker	Davis	Hodges	Oakley
Adams	Dawkins	Holliman	Payne
Albea	deGraffenried	Huddleston	Pirkle
Ashworth	DeSear	Johnson (Tallapoosa)	Ramey
Bassett	Dickson	Kelly	Reynolds
Boyd	Edwards (Escambia)	Kendall	Richardson
Bradford	Faulk	Killough	Simon
Brannan	Ferrell	Lackey	Solomon
Brassell	Gilchrist	Lee (Barbour)	Speaks
Brewer	Goodwyn	Lee (Lawrence)	Steagall
Broadfoot	Gregory	Locke (Choctaw)	Stembridge
Brooks	Hain	Locke (Perry)	Taylor
Brown (Lamar)	Hall	Love	Thomas
Brown (Lee)	Haltom	McClendon	Tyson
Burkhalter	Hanby	McNider	Vacca
Callahan	Hardy	Martin	Ward
Cornett	Hare	Molette	Windle
Cox	Harrison	Nettles	Wood
Crook	Hawkins	Nolen	

—75

And the bill:

H. 831. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Tuscaloosa County authorizing said county to become indebted, in addition to all other indebtedness, and to issue bonds in evidence thereof for the purpose of constructing and equipping a county courthouse and jail and acquiring land therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

**Yeas:**

Mr. Speaker	Brown (Lamar)	DeSear	Haltom
Adams	Brown (Lee)	Dickson	Hanby
Albea	Burkhalter	Edwards (Escambia)	Hardy
Ashworth	Callahan	Faulk	Hare
Bassett	Cornett	Ferrell	Hawkins
Boyd	Cox	Franklin	Hodges
Bradford	Crook	Gilchrist	Holliman
Brannan	Davis	Goodwyn	Huddleston
Brewer	Dawkins	Gregory	Jenkins
Broadfoot	deGraffenried	Hain	Johnson (Tallapoosa)
Brooks	Dement	Hall	Kelly

Kendall	Martin	Reynolds	Stembridge
Lackey	Molette	Richardson	Thomas
Lee (Barbour)	Nettles	Shumate	Tyson
Lee (Lawrence)	Nolen	Simon	Vacca
Locke (Choctaw)	Oden	Solomon	Ward
Locke (Perry)	Payne	Speaks	Windle
Love	Pirkle	Steagall	Wood
McClendon	Ramey		

—74

And the bill:

H. 832. Relating to the General, Road and Bridge, and Gasoline Funds of Butler County: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

Was taken up.

Messrs. Killough and Taylor offered the following amendment to the bill, H. 832:

#### AMENDMENT TO HOUSE BILL NO. 832

Amend House Bill No. 832 by substituting for Section Two thereof the following:

"Section Two: Any funds that heretofore have been transferred or which may hereafter be transferred from the General Fund and/or the Road and Bridge Fund of Butler County to the Gasoline Fund of the County and used for the working of the public roads or the building of bridges or otherwise improving the roads of the County or for any other work relating to the roads and/or bridges of the County may, upon proper resolution of the County Governing Body, be transferred from or repaid out of the Gasoline Fund of the County to the General Fund and/or the Road and Bridge Fund of the County in such amount as was previously transferred from the General Fund and/or Road and Bridge Fund to the Gasoline Fund of the County."

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Burkhalter	Gregory	Johnson (Tallapoosa)
Adams	Callahan	Hain	Kendall
Albea	Cornett	Hall	Killough
Ashworth	Cox	Halton	Lackey
Bassett	Crook	Hanby	Lee (Barbour)
Boyd	Davis	Hardy	Lee (Lawrence)
Bradford	deGraffenried	Hare	Locke (Choctaw)
Brannan	Dement	Harrison	Locke (Perry)
Brassell	DeSear	Harvey	Love
Brewer	Edwards (Escambia)	Hawkins	McClendon
Broadfoot	Faulk	Hodges	McNider
Brooks	Ferrell	Holliman	Martin
Brown (Lamar)	Gilchrist	Huddleston	Meeks
Brown (Lee)	Goodwyn	Jenkins	Molette



Nettles	Perry	Solomon	Taylor
Nolen	Pirkle	Speaks	Thomas
Oakley	Ramey	Steagall	Vacca
Oden	Reynolds	Stembridge	Ward
Payne	Simon	Summerlin	Wood

—76

And said bill, H. 832, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

**Yeas:**

Mr. Speaker	Dement	Hodges	Nolen
Adams	DeSear	Holliman	Oakley
Albea	Dickson	Huddleston	Oden
Ashworth	Edwards (Escambia)	Jenkins	Payne
Bassett	Faulk	Johnson (Tallapoosa)	Pirkle
Boyd	Ferrell	Kendall	Ramey
Bradford	Franklin	Killough	Reynolds
Brannan	Gilchrist	Lackey	Simon
Brassell	Goodwyn	Lee (Barbour)	Solomon
Brewer	Gregory	Lee (Lawrence)	Steagall
Broadfoot	Grouby	Locke (Choctaw)	Stembridge
Brooks	Hain	Locke (Perry)	Summerlin
Brown (Lee)	Hall	Love	Taylor
Burkhalter	Haltom	McClendon	Thomas
Callahan	Hanby	McNider	Tyson
Cornett	Hardy	Martin	Vacca
Cox	Hare	Molette	Ward
Dawkins	Harrison	Nettles	Wood
deGraffenried	Hawkins		

—74

And the bill:

H. 836. Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

**Yeas:**

Mr. Speaker	Callahan	Hall	Killough
Adams	Cornett	Haltom	Lee (Barbour)
Albea	Cox	Hanby	Locke (Choctaw)
Ashworth	Crook	Hardy	Locke (Perry)
Bassett	deGraffenried	Hare	Love
Boyd	Dement	Harrison	McClendon
Bradford	DeSear	Harvey	McKay
Brannan	Dickson	Hawkins	McNider
Brassell	Edwards (Escambia)	Hodges	Martin
Brewer	Faulk	Holliman	Meeks
Broadfoot	Franklin	Huddleston	Molette
Brooks	Gilchrist	Jenkins	Nettles
Brown (Lamar)	Goodwyn	Johnson (Tallapoosa)	Nice
Brown (Lee)	Grouby	Kelly	Nolen
Burkhalter	Hain	Kendall	Oakley

Payne  
Pirkle  
Pruitt  
Ramey  
Reynolds

Richardson  
Solomon  
Steagall  
Stembridge  
Stokes

Summerlin  
Taylor  
Thomas  
Tyson

Vacca  
Ward  
Windle  
Wood

—78

**And the bill:**

H. 853. Relating to Lawrence County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of Lawrence County to pay to the Sinclair Refining Company the sum of one hundred seventy-one dollars and thirty-five cents (\$171.35) out of the gasoline tax fund in the county treasury to compensate the company for damages to two gasoline pumps which were struck and destroyed by a county truck then being used in county road work.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

**Yeas:**

Mr. Speaker  
Adams  
Albea  
Bassett  
Boyd  
Bradford  
Brannan  
Brassell  
Broadfoot  
Brooks  
Brown (Lee)  
Callahan  
Cornett  
Cox  
Crook  
Dawkins

Dement  
DeSear  
Dickson  
Edwards (Escambia)  
Faulk  
Ferrell  
Gilchrist  
Hall  
Haltom  
Hanby  
Hardy  
Hare  
Harvey  
Hawkins  
Hodges  
Holliman

Jenkins  
Johnson (Tallapoosa)  
Kelly  
Kendall  
Killough  
Lackey  
Lee (Baldwin)  
Lee (Lawrence)  
Locke (Perry)  
Love  
McClendon  
McNider  
Martin  
Molette  
Nettles

Nolen  
Perry  
Ramey  
Richardson  
Solomon  
Speaks  
Steagall  
Stembridge  
Stokes  
Summerlin  
Taylor  
Thomas  
Tyson  
Vacca  
Wood

—62

**And the bill:**

H. 856. For the relief of Harold E. Simmons of Madison County: Appropriating one hundred dollars (\$100) from the general fund in the county treasury of Madison County to be paid to Harold E. Simmons for property damage sustained when his automobile was struck by a county highway truck in 1953.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

**Yeas:**

Mr. Speaker  
Adams  
Albea  
Ashworth  
Bassett  
Boyd  
Bradford

Brannan  
Brassell  
Brewer  
Broadfoot  
Brooks  
Brown (Lee)  
Burkhalter

Callahan  
Cornett  
Dawkins  
deGraffenried  
Dement  
DeSear  
Dickson

Edwards (Escambia)  
Faulk  
Ferrell  
Franklin  
Gilchrist  
Gregory  
Hain

Hall	Kelly	Mathison	Reynolds
Haltom	Killough	Meeks	Richardson
Hanby	Lackey	Molette	Solomon
Hardy	Law	Nettles	Speaks
Hare	Lee (Barbour)	Nice	Steagall
Harrison	Lee (Lawrence)	Nolen	Summerlin
Harvey	Locke (Choctaw)	Oakley	Taylor
Hawkins	Locke (Perry)	Oden	Thomas
Hodges	Love	Payne	Tyson
Holliman	McClendon	Perry	Vacca
Huddleston	McKay	Pirkle	Ward
Jenkins	McNider	Pruitt	Wood
Johnson (Tallapoosa)	Martin	Ramey	

—79

And the bill:

H. 859. To regulate drawing of warrants on the Treasury of Mobile County or on any fund of such County and the signing thereof, for the payment of all salaries, wages, materials, equipment or supplies which are now or which may become a charge against Mobile County or any fund thereof, except warrants or certificates drawn for the payment of jurors, witnesses and election officials; to provide that all such warrants shall be drawn and signed by the Chairman of the Board of Revenue and Road Commissioners and by no other officer of Mobile County and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Oakley
Adams	Dickson	Johnson (Tallapoosa)	Oden
Albea	Edwards (Escambia)	Kelly	Payne
Ashworth	Faulk	Kendall	Perry
Bassett	Ferrell	Killough	Pirkle
Boyd	Franklin	Lackey	Pruitt
Bradford	Gilchrist	Law	Ramey
Brannan	Gregory	Lee (Barbour)	Reynolds
Brassell	Grouby	Lee (Lawrence)	Shumate
Brewer	Hain	Locke (Choctaw)	Simon
Broadfoot	Hall	Locke (Perry)	Speaks
Brooks	Haltom	Love	Steagall
Brown (Lee)	Hanby	McClendon	Stembridge
Burkhalter	Hardy	McKay	Stokes
Callahan	Hare	McNider	Summerlin
Cornett	Harrison	Martin	Taylor
Cox	Hawkins	Molette	Thomas
Dawkins	Hodges	Nettles	Tyson
deGraffenried	Holliman	Nice	Vacca
Dement	Huddleston	Nolen	Wood

—80

And the bill:

H. 861. To provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

**Yeas:**

Mr. Speaker	DeSear	Johnson (Tallapoosa)	Oden
Adams	Dickson	Kelly	Payne
Albea	Edwards (Escambia)	Killough	Perry
Ashworth	Ferrell	Lackey	Pirkle
Bassett	Franklin	Lee (Barbour)	Pruitt
Boyd	Gilchrist	Lee (Lawrence)	Ramey
Bradford	Goodwyn	Locke (Choctaw)	Reynolds
Brannan	Grouby	Locke (Perry)	Simon
Brassell	Hain	Love	Solomon
Brewer	Haltom	McClendon	Steagall
Broadfoot	Hanby	McKay	Stembridge
Brown (Lee)	Hardy	McNider	Summerlin
Burkhalter	Hare	Martin	Taylor
Callahan	Harrison	Mathison	Thomas
Cornett	Harvey	Molette	Tyson
Cox	Hawkins	Nettles	Vacca
Dawkins	Hodges	Nolen	Ward
deGraffenried	Holliman	Oakley	Wood
Dement	Huddleston		

—74

And the bill:

H. 864. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

**Yeas:**

Mr. Speaker	deGraffenried	Holliman	Oakley
Adams	Dement	Huddleston	Oden
Albea	DeSear	Johnson (Tallapoosa)	Payne
Ashworth	Dickson	Kelly	Pruitt
Bassett	Edwards (Escambia)	Kendall	Ramey
Boyd	Faulk	Killough	Reynolds
Bradford	Ferrell	Lackey	Richardson
Brannan	Gilchrist	Lee (Barbour)	Simon
Brassell	Goodwyn	Lee (Lawrence)	Solomon
Brewer	Gregory	Locke (Choctaw)	Speaks
Broadfoot	Grouby	Locke (Perry)	Steagall
Brooks	Hain	Love	Stembridge
Brown (Lamar)	Hall	McClendon	Stokes
Brown (Lee)	Haltom	McKay	Summerlin
Burkhalter	Hanby	McNider	Taylor
Callahan	Hardy	Martin	Thomas
Cornett	Hare	Molette	Tyson
Cox	Harvey	Nettles	Vacca
Crook	Hawkins	Nice	Wood
Dawkins	Hodges	Nolen	

—79

## S. 292 POSTPONED

On motion of Mr. Simon, consideration of the bill, S. 292, was postponed until the thirty-first legislative day.

And the bill:

H. 818 (with substitute): TO provide that the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census may by ordinance adopted by the favorable vote of a majority of the members of such body amend, supplement, change, modify or repeal any zone regulation, restriction or boundary of such city.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Legislation No. 2, said committee substitute being as follows:

LOCAL LEGISLATION NO. 2 COMMITTEE SUBSTITUTE  
TO H. B. 818

A BILL  
TO BE ENTITLED  
AN ACT

TO provide that the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census may by ordinance adopted by the favorable vote of a majority of the members of such body amend, supplement, change, modify or repeal any zone regulation, zone restriction or boundary of zone District of such city.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of any city which may now or hereafter have a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census may from time to time by ordinance adopted by the favorable vote of a majority of the members of such body amend, supplement, change, modify or repeal any zone regulation, zone restriction or boundary of zone District of such city. The provisions of Section 714, Title 62, Code of Alabama of 1940 relative to public hearings and official notices shall apply equally to all changes or amendments.

Section 2. This act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Brewer	Dawkins	Goodwyn
Adams	Broadfoot	deGraffenried	Grouby
Albea	Brooks	Dement	Hain
Ashworth	Brown (Lee)	DeSear	Hall
Bassett	Burkhalter	Edwards (Escambia)	Haltom
Boyd	Callahan	Faulk	Hanby
Bradford	Cornett	Ferrell	Hardy
Brassell	Cox	Gilchrist	

Hare	Lackey	Nettles	Simon
Harrison	Lee (Barbour)	Nice	Solomon
Harvey	Lee (Lawrence)	Nolen	Speaks
Hawkins	Locke (Choctaw)	Oakley	Steagall
Hodges	Locke (Perry)	Oden	Stembridge
Holliman	Love	Payne	Summerlin
Huddleston	McKay	Perry	Taylor
Jenkins	McNider	Pirkle	Thomas
Johnson (Tallapoosa)	Martin	Pruitt	Vacca
Kelly	Mathison	Ramey	Ward
Kendall	Meeks	Reynolds	Wood
Killough	Molette	Richardson	

—78

And said bill, H. 818, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kelly	Oden
Adams	Faulk	Kendall	Payne
Albea	Ferrell	Killough	Perry
Ashworth	Gilchrist	Lackey	Pirkle
Boyd	Grouby	Law	Pruitt
Bradford	Hain	Lee (Barbour)	Ramey
Brannan	Hall	Lee (Lawrence)	Reynolds
Brewer	Haltom	Locke (Choctaw)	Richardson
Brown (Lamar)	Hanby	Locke (Perry)	Simon
Brown (Lee)	Hardy	Love	Solomon
Burkhalter	Hare	McClendon	Speaks
Callahan	Harrison	McKay	Steagall
Cornett	Harvey	McNider	Stembridge
Cox	Hawkins	Mathison	Summerlin
Davis	Hodges	Molette	Taylor
Dawkins	Holliman	Nettles	Thomas
deGraffenried	Huddleston	Nice	Vacca
Dement	Jenkins	Nolen	Ward
DeSear	Johnson (Tallapoosa)	Oakley	Windle
Dickson			

—77

**And the bill:**

H. 865. To authorize any county of the State of Alabama having a population of 500,000 or more according to the last or any subsequent Federal Census to appropriate from time to time funds of said county to any public corporation heretofore or hereafter created under Act No. 215 of the Legislature of Alabama of 1947, approved on July 24, 1947, (General Acts of Alabama of 1947, page 81, et seq.), as said last named Act has been or may be hereafter amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

**Yeas:**

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Brassell	Gilchrist	Kaul	Oden
Brewer	Goodwyn	Kendall	Payne
Broadfoot	Gregory	Killough	Perry
Brown (Lee)	Grouby	Lackey	Pirkle
Burkhalter	Hain	Lee (Barbour)	Pruitt
Callahan	Hall	Lee (Lawrence)	Ramey
Cornett	Haltom	Locke (Choctaw)	Reynolds
Cox	Hanby	Locke (Perry)	Simon
Crook	Hardy	Love	Speaks
Davis	Hare	McKay	Steagall
Dawkins	Harrison	McNider	Stembridge
deGraffenried	Harvey	Mathison	Summerlin
Dement	Hawkins	Meeks	Taylor
DeSear	Hodges	Molette	Thomas
Dickson	Holliman	Nettles	Vacca
Edwards (Escambia)	Huddleston	Nice	Ward
Faulk	Jenkins	Nolen	Windle
Ferrell	Johnson (Tallapoosa)	Oakley	Wood
Franklin			

—81

And the bill:

H. 866. To provide that any territory which becomes a city or town or part of a city or town in any county having a population of 400,000 or more according to the last or any succeeding federal census, shall continue to be subject to the regulations and restrictions relative to the use and construction of buildings and structures and the use of land for trade, industry and residences as such territory shall have been subject to at the time it became such city or town or a part of such city or town until such city or town has zoned or regulated such territory in such regards; To provide that the provisions of this Act shall not apply to any territory annexed to any city having a population of 250,000 inhabitants or more according to the last or any succeeding federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	DeSear	Hodges	Mathison
Adams	Dickson	Holliman	Meeks
Albea	Edwards (Escambia)	Huddleston	Molette
Ashworth	Faulk	Jenkins	Nettles
Bassett	Ferrell	Johnson (Tallapoosa)	Nolen
Boyd	Franklin	Kaul	Oakley
Bradford	Gilchrist	Kendall	Oden
Brannan	Gregory	Killough	Payne
Brassell	Grouby	Lackey	Perry
Brewer	Hain	Lee (Barbour)	Pirkle
Broadfoot	Hall	Lee (Lawrence)	Pruitt
Burkhalter	Haltom	Locke (Choctaw)	Ramey
Callahan	Hanby	Locke (Perry)	Reynolds
Cornett	Hardy	Love	Richardson
Cox	Hare	McClendon	Simon
Crook	Harrison	McKay	Speaks
Davis	Harvey	McNider	Steagall
deGraffenried	Hawkins	Martin	Stembridge

Summerlin  
Taylor

Thomas  
Vacca

Ward  
Windle

Wood

—79

And the bill:

H. 592. To fix the salaries of the Fourth, Fifth and Sixth Deputy Circuit Solicitors of the Tenth Judicial Circuit of Alabama payable by the State.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

**Yeas:**

Mr. Speaker	deGraffenried	Holliman	Nettles
Adams	Dement	Johnson (Tallapoosa)	Nice
Albea	DeSear	Kaul	Nolen
Ashworth	Dickson	Kendall	Oakley
Boyd	Edwards (Escambia)	Killough	Payne
Bradford	Edwards (Jefferson)	Lackey	Perry
Brassell	Faulk	Lee (Barbour)	Pirkle
Brewer	Ferrell	Lee (Lawrence)	Ramey
Broadfoot	Gregory	Locke (Choctaw)	Richardson
Brooks	Grouby	Locke (Perry)	Simon
Brown (Lamar)	Hain	Love	Speaks
Brown (Lee)	Haltom	McClendon	Steagall
Burkhalter	Hanby	McKay	Stembridge
Callahan	Hardy	McNider	Summerlin
Cornett	Hare	Martin	Thomas
Cox	Harvey	Mathison	Vacca
Crook	Hawkins	Meeks	Ward
Dawkins	Hodges	Molette	Windle

—72

**MOTION ADOPTED**

The motion of Mr. Roberts to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 628, was adopted.

And the bill:

H. 628. To create an additional judgeship for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judge.

Was taken up.

Mr. Roberts offered the following amendment to the bill, H. 628:

**AMENDMENT OF H. B. 628**

Strike out Section 1 of the bill and insert in lieu thereof the following:

"Section 1. On and after the effective date of this Act there shall be two judges of the Twenty-third Judicial Circuit of Alabama. Such additional judgeship shall be known as Place No. 2. The additional judge shall be elected at the general election in 1956, and every six years thereafter, and shall hold office from the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. The Governor shall appoint a qualified



person to serve as such additional judge until his successor is elected and takes office as herein provided. The judge who has held office for the longest time in the circuit shall be the presiding judge in the circuit."

And the amendment was adopted.

Yeas 67; Nays 0.

**Yeas:**

Mr. Speaker	Dawkins	Hodges	Oden
Albea	deGraffenried	Holliman	Payne
Ashworth	Dement	Huddleston	Ramey
Bassett	Edwards (Escambia)	Kendall	Reynolds
Boyd	Faulk	Lackey	Shumate
Bradford	Ferrell	Lee (Barbour)	Simon
Brannan	Franklin	Lee (Lawrence)	Solomon
Brassell	Gilchrist	Locke (Choctaw)	Speaks
Brewer	Gregory	Locke (Perry)	Steagall
Broadfoot	Grouby	Love	Stembridge
Brown (Lamar)	Hain	McClendon	Stokes
Burkhalter	Haltom	McKay	Summerlin
Callahan	Hanby	McNider	Taylor
Cornett	Hardy	Mollette	Thomas
Cox	Hare	Nettles	Windle
Crook	Harrison	Nolen	Wood
Davis	Hawkins	Oakley	

—67

And said bill, H. 628, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

**Yeas:**

Mr. Speaker	Dement	Huddleston	Oden
Albea	DeSear	Jenkins	Payne
Ashworth	Dickson	Kelly	Ramey
Boyd	Edwards (Escambia)	Kendall	Reynolds
Bradford	Faulk	Lackey	Simon
Brannan	Ferrell	Lee (Barbour)	Solomon
Brassell	Franklin	Lee (Lawrence)	Speaks
Brewer	Gilchrist	Locke (Choctaw)	Stembridge
Broadfoot	Gregory	Locke (Perry)	Stokes
Brown (Lamar)	Grouby	Love	Summerlin
Burkhalter	Haltom	McClendon	Taylor
Callahan	Hanby	McKay	Thomas
Cornett	Hare	McNider	Tyson
Cox	Harrison	Martin	Vacca
Davis	Hodges	Mathison	Windle
deGraffenried	Holliman	Nolen	Wood

—64

**MOTION ADOPTED**

The motion of Mr. Roberts to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 627, was adopted.

And the bill:

H. 627. Creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kelly	Oakley
Albea	Faulk	Kendall	Oden
Bassett	Ferrell	Killough	Payne
Boyd	Franklin	Lackey	Perry
Bradford	Gilchrist	Lee (Barbour)	Pruitt
Brannan	Gregory	Lee (Lawrence)	Ramey
Brassell	Hain	Locke (Choctaw)	Reynolds
Brewer	Haltom	Locke (Perry)	Shumate
Broadfoot	Hanby	Love	Simon
Brooks	Hardy	McClendon	Solomon
Burkhalter	Hare	McKay	Speaks
Callahan	Harrison	McNider	Summerlin
Cornett	Hawkins	Martin	Taylor
Davis	Hodges	Mathison	Thomas
Dawkins	Holliman	Molette	Vacca
deGraffenried	Huddleston	Nettles	Windle
Dement	Jenkins	Nolen	Wood
Dickson			

—69

**MOTION ADOPTED**

The motion of Mr. Vacca to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 672, was adopted.

And the bill:

H. 672 (with substitute). To amend Section 5 of Title 27 of the Code of Alabama of 1940, as heretofore amended so as to make provision for and to give and grant every legal right, privilege and obligation including the right of inheritance to real estate, and to the distribution of personal estate of an adopted child to the adopting parent or parents upon the death of such adopted child as if said child had been born to the adopting parents in lawful wedlock.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR H. B. 672

**A BILL  
TO BE ENTITLED  
AN ACT**

To amend Section 5 of Title 27 of the Code of Alabama 1940, so as to make provision for and to give and grant every legal right, privilege and obligation including the right of inheritance to real estate, and to the distribution of personal estate to an adopted child from the adopting parent or parents and their natural and adopted kindred and to give and

grant every legal right, privilege and obligation including the right of inheritance to real estate, and to the distribution of personal estate of an adopted child to the adopting parent or parents and their natural and adopted kindred upon the death of such adopted child as if said child had been born to the adopting parents in lawful wedlock.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 5 of Title 27 of the Code of Alabama of 1940, be, and the same is hereby, amended to read as follows:

Section 5. Record of petitions; decree and proceedings; status of adopted child; rights of inheritance by and from adopted child.—The petition and all decrees in adoption proceedings shall be recorded in a book kept for that purpose and properly indexed; such book shall be a part of the permanent records of the Probate Court in which such proceedings are had and all reports and affidavits shall be properly filed. The files and records of the Court in adoption proceedings shall not be open to inspection, or copy, by other persons than the parties in interest and their attorneys, and representatives of the state department of public welfare, except upon an order of the court expressly permitting the same.

When the final decree of adoption shall have been entered, the natural parents of the child if living shall be divested of all legal rights and obligations due from them to the child or from the child to them; and the child shall be free from all legal obligations of obedience or otherwise to such parents. The adopting parent or parents of the child shall be invested with every legal right in respect to obedience and maintenance on the part of the child as if said child had been born to them in lawful wedlock, including the right to said adopting parent or parents of inheritance to real estate, and to the distribution of personal estate on the death of such adopted child as if said child had been born to them in lawful wedlock, and the child shall be invested with every legal right, privilege, obligation, and relation in respect to education, maintenance and the rights of inheritance to real estate, and to the distribution of personal estate on the death of such adopting parent or parents as if born to them in lawful wedlock.

For the purposes of inheritance of property under the laws of descent and distribution an adopted child, whether now or hereafter adopted under the laws of Alabama or some other jurisdiction, shall bear the same relation to his adopting parents and their natural and adopted kindred as if he were the natural child of such parents. It is intended hereby to give an adopted child all rights of inheritance from his adopting parents, and through them from their natural and adopted kindred, and to give to the adopting parents and their natural and adopted kindred all rights of inheritance from the adopted child and his descendants, including adopted children, the same as if such child were born to his adopting parents in lawful wedlock. An adopted child's surviving spouse and descendants, including adopted children, shall inherit through such adopted child from his adopting parents and their kindred the same as if he were born to his adopting parents in lawful wedlock. Upon such adoption all rights of inheritance of the adopted child's natural parents and their kindred shall cease unless otherwise specifically provided in the final decree of adoption and the adopted child shall not inherit from his natural parents or their kindred unless it is specifically so provided in said final decree of adoption. Provided, that where an adopter is the spouse of a natural parent of an adopted child, such natural and adopted parent and kindred shall inherit from the adopted child the same as natural parents and kindred unless otherwise specifically provided in the final decree of

adoption. The provisions hereof shall be applicable in all cases of adoption whether the final decree of adoption has already been entered or shall be entered hereafter; provided, however, in any case where a final decree of adoption shall have been entered prior to the effective date of this act the adopted child shall continue to have the right of inheritance from his natural parents and their kindred unless otherwise provided in the decree of adoption.

Section 2. That if, for any reason, any clause, sentence, section or provision of this Act, or the application thereof to any person or circumstance, is held invalid or inoperative, the remainder of the Act and the application thereof to any other person or circumstance shall not be affected thereby.

Section 3. That all laws and parts of laws in conflict with the provisions hereof are hereby expressly repealed.

Section 4. That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 77; Nays 0.

**Yeas:**

Mr. Speaker	Dement	Jenkins	Oakley
Adams	DeSear	Johnson (Tallapoosa)	Oden
Albea	Dickson	Kelly	Payne
Ashworth	Edwards (Escambia)	Kendall	Perry
Bassett	Edwards (Jefferson)	Killough	Pirkle
Boyd	Faulk	Lackey	Pruitt
Bradford	Ferrell	Lee (Barbour)	Ramey
Brannan	Gilchrist	Lee (Lawrence)	Reynolds
Brassell	Gregory	Locke (Choctaw)	Shumate
Brewer	Grouby	Locke (Perry)	Simon
Broadfoot	Hall	Love	Solomon
Brooks	Haltom	McClendon	Speaks
Brown (Lamar)	Hanby	McKay	Summerlin
Burkhalter	Hardy	McNider	Taylor
Callahan	Harrison	Martin	Thomas
Cornett	Hawkins	Mathison	Vacca
Cox	Hodges	Molette	Ward
Davis	Holliman	Nettles	Windle
Dawkins	Huddleston	Nolen	Wood
deGraffenried			

—77

And said bill, H. 672, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

**Yeas:**

Mr. Speaker	Brassell	Cornett	Edwards (Escambia)
Adams	Brewer	Crook	Edwards (Jefferson)
Albea	Broadfoot	Davis	Faulk
Bassett	Brooks	Dawkins	Gilchrist
Boyd	Brown (Lamar)	deGraffenried	Gregory
Bradford	Burkhalter	Dement	Grouby
Brannan	Callahan	DeSear	Hall

Haltom	Kendall	Molette	Shumate
Hanby	Killough	Nettles	Simon
Hardy	Lackey	Nice	Solomon
Harrison	Lee (Lawrence)	Nolen	Speaks
Harvey	Locke (Choctaw)	Oakley	Summerlin
Hawkins	Locke (Perry)	Oden	Taylor
Hodges	Love	Payne	Thomas
Holliman	McClendon	Pirkle	Tyson
Huddleston	McKay	Pruitt	Vacca
Jenkins	McNider	Ramey	Ward
Johnson (Tallapoosa)	Martin	Reynolds	Windle
Kelly	Mathison	Roberts	Wood

—76

## MOTION ADOPTED

The motion of Mr. Ashworth to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 420, was adopted.

And the bill:

H. 420. To make an appropriation for the installation of a gas chamber at Kilby Prison.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

## Yeas:

Mr. Speaker	deGraffenried	Holliman	Oakley
Adams	Dement	Huddleston	Oden
Albea	DeSear	Jenkins	Payne
Ashworth	Dickson	Johnson (Tallapoosa)	Perry
Bassett	Edwards (Escambia)	Kelly	Pirkle
Boyd	Edwards (Jefferson)	Kendall	Ramey
Bradford	Faulk	Killough	Reynolds
Brannan	Ferrell	Lackey	Richardson
Brassell	Franklin	Law	Shumate
Brewer	Gilchrist	Lee (Barbour)	Simon
Broadfoot	Goodwyn	Lee (Lawrence)	Solomon
Brooks	Gregory	Locke (Choctaw)	Stembridge
Brown (Lamar)	Hain	Locke (Perry)	Summerlin
Burkhalter	Hall	Love	Taylor
Callahan	Haltom	McClendon	Thomas
Cornett	Hanby	McKay	Vacca
Cox	Hardy	McNider	Ward
Crook	Harrison	Mathison	Windle
Davis	Hawkins	Molette	Wood
Dawkins	Hodges	Nolen	

—79

## MOTION ADOPTED

The motion of Mr. Faulk to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 488, was adopted.

And the bill:

H. 488 (with amendment). To provide for the construction of rural mailbox turnouts on Alabama highways.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Transportation, said committee amendment being as follows:

# AMENDMENT OF H. B. 488

Strike out the words, "is hereby authorized and directed to," appearing in Section 1 of the bill and substitute in lieu thereof the word, "may".

And the amendment was adopted.

Yeas 75; Nays 0.

## Yeas:

Mr. Speaker	Dickson	Kelly	Payne
Albea	Edwards (Escambia)	Kendall	Pirkle
Bassett	Edwards (Jefferson)	Killough	Pruitt
Boyd	Faulk	Lackey	Ramey
Bradford	Ferrell	Law	Reynolds
Brassell	Franklin	Lee (Barbour)	Richardson
Brewer	Gilchrist	Lee (Lawrence)	Roberts
Broadfoot	Gregory	Locke (Choctaw)	Shumate
Brooks	Grouby	Locke (Perry)	Simon
Brown (Lamar)	Hain	Love	Solomon
Burkhalter	Hall	McClendon	Stembridge
Callahan	Haltom	McKay	Summerlin
Cornett	Hanby	Martin	Taylor
Crook	Hardy	Mathison	Thomas
Davis	Harrison	Miolette	Vacca
Dawkins	Harvey	Nettles	Ward
deGraffenried	Holliman	Nolen	Windle
Dement	Jenkins	Oakley	Wood
DeSear	Johnson (Tallapoosa)	Oden	

—75

And said bill, H. 488, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

## Yeas:

Mr. Speaker	DeSear	Holliman	Oakley
Albea	Dickson	Jenkins	Oden
Boyd	Edwards (Escambia)	Johnson (Tallapoosa)	Payne
Bradford	Edwards (Jefferson)	Kelly	Pirkle
Brannan	Faulk	Lackey	Pruitt
Brassell	Franklin	Law	Ramey
Brewer	Gilchrist	Lee (Lawrence)	Reynolds
Broadfoot	Goodwyn	Locke (Choctaw)	Richardson
Brooks	Gregory	Locke (Perry)	Shumate
Brown (Lamar)	Grouby	Love	Simon
Brown (Lee)	Hain	McClendon	Solomon
Burkhalter	Hall	McNider	Stembridge
Callahan	Haltom	Martin	Summerlin
Cornett	Hanby	Mathison	Taylor
Crook	Hardy	Meeks	Vacca
Davis	Harvey	Nettles	Ward
Dawkins	Hawkins	Nolen	Windle
deGraffenried			

—69

## MOTION ADOPTED

The motion of Mr. Cox to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 183, was adopted.

And the bill:

H. 183. To amend Section 187 of Title 13 of the Code of Alabama of 1940 relating to the appointment and compensation of bailiffs.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

## Yeas:

Mr. Speaker	DeSear	Holliman	Nolen
Adams	Edwards (Escambia)	Huddleston	Oakley
Albea	Faulk	Jenkins	Oden
Ashworth	Ferrell	Johnson (Tallapoosa)	Payne
Bassett	Franklin	Kelly	Pirkle
Bradford	Gilchrist	Killough	Ramey
Brannan	Goodwyn	Lackey	Reynolds
Brassell	Gregory	Law	Richardson
Broadfoot	Grouby	Lee (Barbour)	Shumate
Brooks	Hain	Lee (Lawrence)	Solomon
Brown (Lee)	Hall	Locke (Perry)	Stembridge
Burkhalter	Haltom	McClendon	Summerlin
Callahan	Hanby	McKay	Taylor
Cornett	Hardy	McNider	Thomas
Davis	Harrison	Martin	Tyson
Dawkins	Harvey	Mathison	Vacca
deGraffenried	Hawkins	Molette	Ward
Dement	Hodges	Nettles	Windle

—72

## MOTION ADOPTED

The motion of Mr. Locke (Perry) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 685, was adopted.

And the bill:

H. 685. To amend Section 211 of Title 41, Code of Alabama (1940) which relates to contracts between county officers and the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

## Yeas:

Mr. Speaker	Brooks	deGraffenried	Goodwyn
Adams	Brown (Lee)	Dement	Gregory
Albea	Callahan	Dickson	Grouby
Ashworth	Burkhalter	DeSear	Hain
Bassett	Cornett	Edwards (Escambia)	Hall
Boyd	Cox	Edwards (Jefferson)	Haltom
Bradford	Crook	Faulk	Hanby
Brannan	Davis	Franklin	Hardy
Brassell	Dawkins	Gilchrist	Harrison

Harvey	Lee (Lawrence)	Nolen	Simon
Hawkins	Locke (Choctaw)	Oakley	Solomon
Hodges	Locke (Perry)	Oden	Speaks
Holliman	McClendon	Payne	Summerlin
Jenkins	McKay	Perry	Taylor
Johnson (Tallapoosa)	McNider	Pirkle	Thomas
Kaul	Martin	Pruitt	Tyson
Kelly	Mathison	Ramey	Vacca
Killough	Meeks	Reynolds	Ward
Lackey	Molette	Richardson	Windle
Lee (Barbour)	Nettles		

—78

And the bill:

H. 833. To authorize all cities or towns in the State of Alabama having a population of 6500 and not more than 6900 according to the last or any subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the manner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote in a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the Mayor-Council form of government; and to provide that all laws or parts of laws in conflict with this act are repealed.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Callahan	Goodwyn	Holliman
Adams	Cox	Gregory	Jenkins
Albea	Crook	Grouby	Johnson (Elmore)
Ashworth	Davis	Hain	Johnson (Tallapoosa)
Bassett	Dawkins	Hall	Kelly
Boyd	deGraffenried	Haltom	Kendall
Bradford	Dement	Hanby	Killough
Brannan	DeSear	Hardy	Lackey
Brassell	Edwards (Escambia)	Hare	Lee (Barbour)
Brewer	Edwards (Jefferson)	Harrison	Lee (Lawrence)
Broadfoot	Ferrell	Harvey	Locke (Perry)
Brooks	Franklin	Hawkins	McClendon
Burkhalter	Gilchrist	Hodges	McKay



McNider	Oden	Simon	Thomas
Meeks	Payne	Solomon	Vacca
Molette	Pirkle	Speaks	Ward
Nettles	Pruitt	Steagall	Windle
Nolen	Reynolds	Stembridge	Wood
Oakley	Richardson	Taylor	

—75

## MOTION ADOPTED

The motion of Mr. deGraffenried to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 166, was adopted.

And the bill:

H. 166 (with substitute). To create and establish a State Fire College, to provide for an Advisory Committee, an annual training session, and appropriations for carrying out the provisions of the Act.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

## WAYS AND MEANS COMMITTEE SUBSTITUTE FOR H. B. 166

A BILL  
TO BE ENTITLED  
AN ACT

To create and establish a State Fire College, to provide for an Advisory Committee, an annual training session, and appropriations for carrying out the provisions of the Act.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALABAMA:

Section 1. There is hereby created and established a State Fire College, the administration of which shall be under the State Superintendent of Insurance.

Section 2. There shall be an Advisory Committee composed of nine practical firemen appointed by the State Superintendent of Insurance upon recommendation of the Alabama State Firemen's Association. A majority of the members of this committee shall be paid, part-paid or volunteer firemen from cities of 25,000 population or less. Committee members shall serve for terms of: two for five years, two for four years, two for three years, two for two years and one for one year. No member shall serve for more than five years without reappointment. It shall be the duty of the advisory Committee to assist in finding and recommending competent instructor personnel and to review and recommend course content or changes in course content in line with changing conditions in the field of fire fighting. It shall also be the duty of the Advisory Committee to assist in promoting the State Fire College, to help maintain a public relations program and to recommend policy and procedure for the best interests of the State Fire College.

Section 3. The State Fire College shall hold annual sessions at the University of Alabama at such time and for such a period as may be determined by the Advisory Committee and the State Superintendent of Insurance. At such sessions instruction shall be provided for repre-

sentatives of paid, part-paid and volunteer fire departments of the State of Alabama. The manner of selecting the representatives and the number selected for each session shall be determined by the Advisory Committee and the State Superintendent of Insurance. The course of instruction shall consist of training in modern methods of fire fighting, fire prevention, rendering first aid in case of drowning and asphyxiation, and modern methods for the preservation of life and property.

Section 4. There is hereby appropriated, out of any funds in the State Treasury, not otherwise appropriated, the sum of forty thousand dollars (\$40,000.00) to be used to purchase necessary training equipment, materials and supplies, as approved by the Advisory Committee and the State Superintendent of Insurance, such purchases to be made by the Purchasing Agent of the State of Alabama.

Section 5. The fire equipment authorized to be purchased by this Act and equipment previously purchased by State Educational funds shall be housed and maintained by the Tuscaloosa Fire Department at the University Fire Training Station and shall be used for training firemen from over the State on a year-round basis. Other use of this equipment for normal and customary fire service shall be under the direction and at the discretion of the Chief of the Tuscaloosa Fire Department. The title and control of new equipment purchased under this Act and equipment previously purchased from State Educational funds for fire training at the University of Alabama shall be vested in the State Department of Insurance.

Section 6. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not effect the part which remains.

Section 7. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 75; Nays 0.

**Yeas:**

Mr. Speaker	Dement	Johnson (Elmore)	Pirkle
Adams	DeSear	Johnson (Tallapoosa)	Pruitt
Albea	Edwards (Escambia)	Kelly	Ramey
Ashworth	Edwards (Jefferson)	Kendall	Reynolds
Bassett	Faulk	Lackey	Richardson
Boyd	Ferrell	Lee (Barbour)	Roberts
Bradford	Franklin	Lee (Lawrence)	Shumate
Brannan	Gilchrist	Locke (Choctaw)	Solomon
Brassell	Gregory	Locke (Perry)	Speaks
Brewer	Grouby	McClendon	Steagall
Broadfoot	Hain	McKay	Stembridge
Brown (Lamar)	Hall	McNider	Taylor
Burkhalter	Haltom	Martin	Thomas
Callahan	Hanby	Mathison	Tyson
Cox	Hardy	Nice	Vacca
Crook	Hare	Nolen	Ward
Davis	Hawkins	Oden	Windle
Dawkins	Hodges	Payne	Wood
deGraffenried	Jenkins	Perry	

—75

And said bill, H. 166, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

**Yeas:**

Mr. Speaker	DeSear	Kaul	Pirkle
Adams	Edwards (Escambia)	Kelly	Pruitt
Albea	Edwards (Jefferson)	Kendall	Ramey
Ashworth	Faulk	Lackey	Reynolds
Bassett	Ferrell	Lee (Barbour)	Richardson
Boyd	Franklin	Lee (Lawrence)	Roberts
Bradford	Gilchrist	Locke (Choctaw)	Shumate
Brannan	Goodwyn	Locke (Perry)	Simon
Brassell	Grouby	McClendon	Solomon
Brewer	Hain	McKay	Speaks
Broadfoot	Hall	McNider	Steagall
Brooks	Haltom	Martin	Stembridge
Brown (Lamar)	Hardy	Mathison	Stokes
Brown (Lee)	Hare	Meeks	Summerlin
Burkhalter	Harrison	Nettles	Taylor
Callahan	Harvey	Nice	Thomas
Cox	Hawkins	Nolen	Tyson
Crook	Hodges	Oakley	Vacca
Davis	Holliman	Oden	Ward
Dawkins	Johnson (Elmore)	Payne	Windle
deGraffenried	Johnson (Tallapoosa)	Perry	Wood
Dement			

—85

**MOTION ADOPTED**

The motion of Mr. Nolen to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 336, was adopted.

**And the bill:**

H. 336. To amend Section 1 of Act No. 689 of the Legislature of 1953, entitled "An Act relating to highways; to authorize the State Highway Department to construct, repair and maintain roads on land owned by the State and designated as the Agricultural Center on which the State Coliseum Building is located" approved September 17, 1953, General Acts of 1953, page 941, by authorizing the State Highway Department to construct roads, driveways, walkways and vehicular parking areas on the property of the Agricultural Center.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

**Yeas:**

Mr. Speaker	Brooks	Dickson	Haltom
Adams	Brown (Lee)	Edwards (Escambia)	Hardy
Albea	Burkhalter	Edwards (Jefferson)	Hare
Ashworth	Callahan	Faulk	Harrison
Bassett	Cornett	Ferrell	Harvey
Boyd	Cox	Franklin	Hawkins
Bradford	Crook	Gilchrist	Hodges
Brannan	Davis	Gregory	Holliman
Brassell	Dawkins	Grouby	Jenkins
Brewer	Dement	Hain	Johnson (Elmore)
Broadfoot	DeSear	Hall	Johnson (Tallapoosa)

Kelly	McNider	Pirkle	Stembridge
Kendall	Martin	Pruitt	Stokes
Killough	Mathison	Ramey	Summerlin
Lackey	Meeks	Reynolds	Taylor
Law	Molette	Richardson	Thomas
Lee (Barbour)	Nettles	Shumate	Vacca
Lee (Lawrence)	Nice	Simon	Ward
Locke (Choctaw)	Oakley	Solomon	Windle
Locke (Perry)	Oden	Steagall	Wood
McKay	Payne		

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## MOTION ADOPTED

The motion of Mr. Goodwyn to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 788, was adopted.

Yeas 65; Nays 15.

## Yeas:

Mr. Speaker	Dickson	Holliman	Perry
Albea	Edwards (Escambia)	Johnson (Elmore)	Pirkle
Bassett	Faulk	Kelly	Ramey
Boyd	Ferrell	Killough	Reynolds
Bradford	Franklin	Lackey	Richardson
Brannan	Gilchrist	Law	Simon
Brassell	Goodwyn	Lee (Lawrence)	Solomon
Brewer	Gregory	Love	Speaks
Brown (Lamar)	Hain	McNider	Steagall
Brown (Lee)	Hall	Martin	Stokes
Burkhalter	Haltom	Mathison	Summerlin
Cornett	Hanby	Molette	Taylor
Cox	Hardy	Nettles	Tyson
Davis	Hare	Nolen	Vacca
Dawkins	Hawkins	Oden	Ward
deGraffenried	Hodges	Payne	Wood
Dement			

—65

## Nays:

Messrs.	Brooks	Johnson (Tallapoosa)	McKay
Adams	DeSear	Kaul	Pruitt
Ashworth	Edwards (Jefferson)	Lee (Barbour)	Shumate
Broadfoot	Harrison	Locke (Perry)	Thomas

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## RECESS

On motion of Mr. Faulk the House recessed until 2:30 o'clock this afternoon.

Yeas 47; Nays 38.

## Yeas:

Messrs.	Burkhalter	Ferrell	Hunt
Adams	Cornett	Franklin	Jenkins
Albea	Cox	Grouby	Johnson (Elmore)
Ashworth	Edwards (Escambia)	Hain	Johnson (Tallapoosa)
Bradford	Edwards (Jefferson)	Harrison	Kaul
Brown (Lamar)	Faulk	Holliman	Kelly

Killough	McClendon	Payne	Richardson
Lackey	McKay	Perry	Stembridge
Lee (Barbour)	McNider	Pirkle	Stokes
Lee (Lawrence)	Martin	Pruitt	Thomas
Locke (Choctaw)	Mathison	Ramey	Vacca
Locke (Perry)	Nettles	Reynolds	Windle

—47

**Nays:**

Mr. Speaker	Dawkins	Hare	Nolen
Bassett	Dement	Hawkins	Oden
Boyd	DeSear	Hodges	Shumate
Brannan	Dickson	Huddleston	Simon
Brassell	Gilchrist	Kendall	Summerlin
Brewer	Goodwyn	Love	Taylor
Broadfoot	Gregory	Meeks	Tyson
Brooks	Hall	Molette	Ward
Brown (Lee)	Haltom	Nice	Wood
Davis	Hanby		

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**AFTERNOON SESSION**

The hour of 2:30 o'clock P.M. having arrived, the House reconvened.

**MESSAGE FROM THE SENATE****Mr. Speaker:**

The Senate has concurred in and adopted the report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 101. Relating to Winston County: To establish the Law and Equity Court of Winston County; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Winston County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Winston County, and causes pending in the Winston County Court.

And said Bill, as thus amended by the Conference report, was again read at length and passed.

And said Bill, together the report of the Committee on Conference, is herewith returned to the House.

**J. E. SPEIGHT,**  
Secretary.

**MESSAGE FROM THE SENATE****Mr. Speaker:**

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 191. To amend Section 1 of Act No. 86, approved June 15, 1953, entitled An Act: "To amend Section 2 of Act No. 462, approved Septem-

ber 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing clerical assistance and office space to him."

J. E. SPEIGHT,  
Secretary.

### SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

### REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Ways and Means Committee:

H. J. R. 63. Relative to the intent of the Legislature with regard to the appropriation of the Minimum Program Fund.

Mr. Harrison offered the following amendment to the resolution, H. J. R. 63:

Amend this resolution by deleting Section 4 therefrom and substituting in lieu thereof the following:

4. Funds have been appropriated to provide that the teachers will receive an increase of \$600.00 per year over the salary allotments for 1954-55 plus the \$127.00 paid as a bonus. The State Board of Education shall make the following adjustments in Ranks I, II, III, IV and V in the present State salary allotment schedule to provide this increase.

Rank of Certificates	Allocation
I	\$3,543.00
II	3,143.00
III	2,688.00
IV	2,339.00
V	\$2,039.00

It is further provided that if the amounts for each of the fiscal years shown in 1-a above are not used, the amount not used shall revert to the Alabama Special Educational Trust Fund. The method used for calculating annual allotments for teachers' salaries shall be the same as in the Regulations of the State Board of Education for 1953-54.

On motion of Mr. Dawkins the amendment offered by Mr. Harrison was laid upon the table.

The motion of Mr. Brewer to reconsider the vote by which the amendment offered by Mr. Harrison was laid upon the table, was adopted.

Yeas 64; Nays 20.

#### Yeas:

Messrs.	Ashworth	Boyd	Brannan
Albea	Bassett	Bradford	Brewer

Broadfoot	Grouby	Kelly	Payne
Brooks	Hain	Kendall	Perry
Brown (Lamar)	Halton	Killough	Pirkle
Callahan	Hanby	Lackey	Pruitt
Cornett	Hardy	Lee (Lawrence)	Reynolds
Cox	Harrison	Locke (Choctaw)	Richardson
Crook	Harvey	Locke (Perry)	Speaks
Dawkins	Hodges	Love	Steagall
Dement	Holliman	McClendon	Stokes
DeSear	Huddleston	McKay	Summerlin
Dickson	Jenkins	McNider	Taylor
Edwards (Jefferson)	Johnson (Elmore)	Molette	Tyson
Faulk	Johnson (Tallapoosa)	Nettles	Vacca
Franklin	Kaul	Oakley	Windle
Gilchrist			

—64

**Nays:**

Mr. Speaker	Ferrell	Lee (Barbour)	Ramey
Adams	Goodwyn	Martin	Simon
Brown (Lee)	Gregory	Mathison	Stembridge
Davis	Hall	Nolen	Thomas
Edwards (Escambia)	Hawkins	Oden	Ward

—20

The question was then on the motion of Mr. Dawkins to lay on the table the amendment offered by Mr. Harrison, and the motion was lost.

Yeas 42; Nays 43.

**Yeas:**

Mr. Speaker	Dawkins	Lee (Lawrence)	Richardson
Adams	deGraffenried	Love	Roberts
Albea	Ferrell	McNider	Simon
Bassett	Gilchrist	Martin	Speaks
Boyd	Goodwyn	Mathison	Steagall
Bradford	Gregory	Meeks	Stembridge
Brewer	Hall	Nice	Summerlin
Brown (Lamar)	Halton	Nolen	Thomas
Brown (Lee)	Hawkins	Oden	Tyson
Crook	Kaul	Ramey	Ward
Davis	Lee (Barbour)		

—42

**Nays:**

Messrs.	Edwards (Jefferson)	Jenkins	Nettles
Ashworth	Faulk	Johnson (Elmore)	Oakley
Brannan	Franklin	Johnson (Tallapoosa)	Payne
Broadfoot	Grouby	Kendall	Perry
Brooks	Hain	Killough	Pirkle
Callahan	Hanby	Lackey	Pruitt
Cornett	Hardy	Locke (Choctaw)	Reynolds
Cox	Harrison	Locke (Perry)	Stokes
Dement	Harvey	McClendon	Taylor
DeSear	Hodges	McKay	Vacca
Dickson	Holliman	Molette	Windle

—43

And the amendment offered by Mr. Harrison to the resolution, H. J. R. 63, was lost.

Yeas 25; Nays 62.

**Yeas:**

Messrs.	Hardy	Kelly	Molette
Ashworth	Harrison	Kendall	Nettles
Brooks	Harvey	Locke (Choctaw)	Oakley
Callahan	Hodges	Locke (Perry)	Payne
Cox	Holliman	Love	Reynolds
DeSear	Jenkins	McKay	Stokes
Hain	Johnson (Tallapoosa)		

—25

**Nays:**

Mr. Speaker	deGraffenried	Kaul	Pruitt
Adams	Dement	Killough	Ramey
Albea	Dickson	Lackey	Richardson
Boyd	Edwards (Escambia)	Law	Roberts
Bradford	Edwards (Jefferson)	Lee (Barbour)	Shumate
Brannan	Ferrell	Lee (Lawrence)	Simon
Brassell	Franklin	McNider	Speaks
Brewer	Gilchrist	Martin	Steagall
Broadfoot	Goodwyn	Mathison	Stembridge
Brown (Lamar)	Gregory	Meeks	Summerlin
Brown (Lee)	Grouby	Nice	Taylor
Burkhalter	Hall	Nolen	Thomas
Cornett	Haltom	Oden	Tyson
Crook	Hanby	Perry	Ward
Davis	Hawkins	Pirkle	Wood
Dawkins	Johnson (Wilmore)		

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Messrs. Summerlin and Kendall offered the following amendment to the resolution, H. J. R. 63:

Amend Joint Resolution No. 63 by adding thereto Section 10:

"Funds set out in D and E be allotted in such manner as to permit at least a 15% increase in salary for those employed as bus drivers, shop employees, Janitor & others not on official salary schedules.

On motion of Mr. Dawkins the amendment offered by Messrs. Summerlin and Kendall was laid upon the table.

And said resolution, H. J. R. 63, was adopted.

**REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS**

**Mr. Speaker:**

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 101. Relating to Winston County: To establish the Law and Equity Court of Winston County; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Winston County and transfer all causes pending therein to the



court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Winston County, and causes pending in the Winston County Court.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Davis (Lowndes):

S. J. R. 62. Resolved by the Senate of Alabama, the House of Representatives concurring, that the bill, H.B. 296, which has passed both houses, be designated and known as "The Engelhardt, Boutwell, Richardson Bill."

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Davis the rules were suspended in order to bring up for immediate consideration the S. J. R. 62 set out in the above and foregoing Message from the Senate.

Mr. Richardson offered the following substitute for S. J. R. 62:

#### SUBSTITUTE TO S. J. R. 62

Resolved by the Senate of Alabama, the House of Representatives concurring, that the bill, H. B. 296, which has passed both houses, be designated and known as "The Engelhardt, Boutwell, Richardson, Martin and Ramey Bill."

And the substitute for S. J. R. 62 was adopted.

And said S. J. R. 62, as amended, was adopted.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 98. To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters of this State.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Wood, the House non-concurred in the Senate amendment to the bill, H. 98, said Senate amendment being as follows:

Amend first sentence of Section 1 of House Bill 98 to read as follows:

Section 1. That Section 38 of Title 8, Code of Alabama, 1940, be and the same is hereby amended so as to read as follows:

No resident of this State between the ages of sixteen and sixty-five shall take, catch, kill or attempt to take, catch or kill in any waters of this state, in which fresh water fish appear, by angling with rod and reel or by use of any artificial bait, fly or lure without first procuring a fishing license and paying therefor the sum of one dollar.

Amend Section 1 of said bill by striking the words "in which fresh water fish appear" wherever same appear in said section.

On motion of Mr. Wood, a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the bill, H. 98.

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Davis, Wood and Hare.

### CONSIDERATION OF H. B. 788

H. 788 (with substitute) (with amendments): To raise revenue for educational purposes; levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

### COMMITTEE SUBSTITUTE FOR H. B. NO. 788

#### A BILL TO BE ENTITLED AN ACT

To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

#### Section 1. DEFINITIONS.

(1) Gross Income. The term "gross income" as used herein:

(1) Includes gains, profits and income derived from salaries, wages or compensation for personal services of whatever kind, or in whatever form paid, including the salaries, income, fees and other compensation of state, county and municipal officers and employees, or from professions, vocations, trades, business, commerce or sales, or dealings in property whether real or personal, growing out of ownership or use of or interest in such property; also from interest, royalties, rents, dividends, securities or transactions of any business carried on for gain or profit and the income derived from any source whatever, including any income not exempted under this Act; including income of officers or agents of the United States, etc., received from the United States, or from its agencies and instrumentalities. — The salaries, fees, commissions, or other income of officers or agents of the United States or its agencies and instrumentalities or its contractees, received from the United States or from its agencies and instrumentalities, shall be sub-

ject to this tax as other income is taxed, but without discrimination, and only to the same extent, and in the same manner other income is herein taxed, insofar as the state of Alabama may be constitutionally or legally authorized to tax such income. The amount of all such items shall be included in the gross income for the taxable year in which received by the taxpayer; but

(2) does not include the following items which shall be exempt from income tax under this Act;

(a) amounts received under life insurance policies and contracts paid by reason of the death of the insured,

(b) amounts received (other than amounts paid by reason of the death of the insured) under life insurance endowment or annuity contracts, either during the term or at maturity or upon surrender of contracts, equal to the total amount of premiums paid thereon,

(c) the value of property acquired by gift, bequest, demise or descent, (but the income from such property shall be included in the gross income),

(c-1) gain or loss from sale or exchanges of capital assets,

(d) any amount received through accident or health insurance, or under any workman's compensation act as compensation for personal injuries or sickness, plus the amount of any damages received, whether by suit or agreement on account of such injuries or sickness, or through the war risk insurance act, or any law for the benefit or relief of injured or disabled members of the "military or naval forces of the United States."

(3) The term "gross income" shall mean and include all of such income arising from sources within and without the state whether paid to residents or non-residents, including interest on bonds, notes or other interest-bearing obligations of residents, corporate or otherwise and all amounts received (although paid under a contract for the sale of goods or otherwise) representing profits in the manufacture and disposition of goods within or without the State of Alabama. It shall mean and include interest, dividends, or other forms of income from and gains of profits realized upon the sale, exchange or other disposition of all forms of tangible personal property owned by or held anywhere in or without the State of Alabama for the account of any resident or domestic corporation.

(2) Adjusted Gross Income. For the purpose of this Act, the term "adjusted gross income" means gross income as defined in Section 1 of this Act minus the following deductions:

(1) All ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered, and including rentals and other payments required to be made as a condition of the continued use or possession for the purpose of trade or business of property to which the taxpayer has not taken, or is not taking title or in which he has no equity.

(2) Interest paid or accrued, within the taxable year, as an ordinary and necessary expense in production of income.

(3) Taxes paid or accrued, within the taxable year, as an ordinary and necessary expense in the production of income. Ordinary and necessary expense shall not include any tax levied on or measured by income of any individual or corporation.

(4) Losses from debts ascertained to be worthless and charged off during the taxable year of such ascertainment, if sustained in the conduct of the regular trade or business of the taxpayer during the period covered by this Act.

(5) A reasonable allowance for the exhaustion, wear and tear of property from which any income is derived including a reasonable allowance for obsolescence. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar condition in each case based upon the cost, including the cost of development not otherwise deducted; such reasonable allowance in all cases to be made under rules and regulations to be prescribed by the department of revenue. In case of leasehold interests, the deduction allowed by this section shall be equitably proportioned between the lessor and the lessee.

(3) Insurance Companies. "Insurance Companies" means insurance companies as defined in the Internal Revenue Code of the United States, as amended and in effect January 1, 1955.

(4) Adjusted Gross Income of Insurance Companies. The words "adjusted gross income" with respect to insurance companies means adjusted gross income as defined in the Internal Revenue Code of the United States, as amended and in effect January 1, 1955.

Section 2. In addition to all other taxes now imposed by law there is hereby levied and imposed a special tax on the incomes of individuals and corporations from whatever source derived within this State, which tax shall be assessed, collected and paid at the rates specified herein, for each year, as hereinafter provided. The tax shall be computed on the adjusted gross income as herein defined.

If the adjusted gross income is:	The tax shall be:
Not over \$2,000 but more than \$1,000.....	.0050 of the taxable income.
Over \$2,000 but not over \$3,000.....	\$10.00, plus .0060 of excess over \$2,000.
Over \$3,000 but not over \$4,000.....	\$16.00, plus .0065 of excess over \$3,000.
Over \$4,000 but not over \$5,000.....	\$22.50, plus .0070 of excess over \$4,000.
Over \$5,000 but not over \$6,000.....	\$29.50, plus .0075 of excess over \$5,000.
Over \$6,000 but not over \$7,000.....	\$40.00, plus .0080 of excess over \$6,000.
Over \$7,000 but not over \$8,000.....	\$48.00, plus .0085 of excess over \$7,000.
Over \$8,000 but not over \$9,000.....	\$56.50, plus .0090 of excess over \$8,000.
Over \$9,000 but not over \$10,000.....	\$65.50, plus .0095 of excess over \$9,000.
Over \$10,000 but not over \$12,000.....	\$75.00, plus .0100 of excess over \$10,000.
Over \$12,000 but not over \$14,000.....	\$95.00, plus .0150 of excess over \$12,000.

Over \$14,000 but not over \$16,000.....	\$125.00, plus .0200 of excess over \$14,000.
Over \$16,000 but not over \$18,000.....	\$165.00, plus .0250 of excess over \$16,000.
Over \$18,000 but not over \$20,000.....	\$215.00, plus .0300 of excess over \$18,000.
Over \$20,000 but not over \$22,000.....	\$275.00, plus .0350 of excess over \$20,000.
Over \$22,000 but not over \$25,000.....	\$345.00, plus .0375 of excess over \$22,000.
Over \$25,000 but not over \$35,000.....	\$457.00, plus .0385 of excess over \$25,000.
Over \$35,000 but not over \$50,000.....	\$842.00, plus .0395 of excess over \$35,000.
Over \$50,000 but not over \$65,000.....	\$1,434.00, plus .0400 of excess over \$50,000.
Over \$65,000 but not over \$80,000.....	\$2,034.00, plus .0405 of excess over \$65,000.
Over \$80,000 but not over \$90,000.....	\$2,641.50, plus .0407 of excess over \$80,000.
Over \$90,000 but not over \$100,000.....	\$3,048.50, plus .0408 of excess over \$90,000.
Over \$100,000.....	\$3,456.50, plus .015 of excess over \$100,000.

Persons and subjects taxable under this Act are: (1) Every individual residing in Alabama; (2) every corporation domiciled in Alabama or licensed or qualified to transact business in Alabama; (3) every corporation doing business in Alabama or deriving income from sources within Alabama, including income from property located in Alabama; (4) every resident individual or corporation acting in a fiduciary capacity; (5) every estate and trust resident in the State of Alabama; (6) every nonresident individual receiving taxable income from property owned or business transacted in Alabama; (7) every natural person domiciled in the State of Alabama, and every other natural person who maintains a permanent place of abode within the State or spends in the aggregate more than seven months of the income year within the State, shall be presumed to be residing within the State for the purposes of determining liability for taxes under this Act.

The tax levied and imposed in this section on the adjusted income for the calendar year 1955, or for that pro rata part of the adjusted income applicable to any fiscal year ending in 1955 shall be due on January 1, 1956, and shall be paid on or before April 15, 1956; provided, however, the tax for the year 1955 may be paid in four equal quarterly installments, the last installment to be paid on or before September 30, 1956.

The tax levied and imposed in this section shall be assessed, collected and paid in the year 1956 upon and with respect to the taxable income for the year 1956, or for any fiscal year ending during the year 1956, and each year thereafter such tax shall be assessed, collected and paid as provided in subsequent sections of this Act.

Section 3. The following corporations and organizations shall be exempt from taxation under this Act: (1) Religious and Apostolic organizations as defined in Internal Revenue Code. (2) Corporations, and any community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific testing for public safety, literary or educational purposes no part of the net earnings of which inures to the benefit of any private stockholder or individual. (3) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local association of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes. (4) Clubs organized and operated exclusively for pleasure, recreation, and other non-profit purposes no part of the net earnings of which inures to the benefit of any private stockholder or individual. (5) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt under this Act.

Section 4. (1) Every employer as defined under the income tax laws of the United States in effect January 1, 1956, or as subsequently defined, with respect to income tax collected at the source, who makes payment of wages as defined under such laws to employees, shall deduct and withhold upon such wages of all employees where adjusted income exceeds one thousand dollars per annum a tax equal to one-half of one percent of the amount of wages paid, or to be paid in the calendar year of such employer.

(2) At the election of the employer with respect to such employee, the employer may deduct and withhold upon the wages paid to such employee a tax determined on the basis of tables to be prepared and furnished by the department of revenue, hereinafter referred to as "the department," which tax shall be substantially equivalent to the tax provided in this Act, and which shall be in lieu of the tax required in subdivision (1).

(3) In determining the amount to be deducted and withheld under this section, the wages may, at the election of the employer, be computed to the nearest dollar.

(4) The department may by regulation authorize employers: 1) to estimate the wages which will be paid to any employee in any quarter of the calendar year; 2) to determine the amount to be deducted and withheld upon each payment of wages to such employee during such quarter as if the appropriate average of the wages so estimated constituted the actual wages paid; 3) to deduct and withhold upon any payment of wages to such employee during such quarter such amount as may be necessary to adjust the amount actually deducted and withheld upon the wages of such employee during such quarter to the amount that would be required to be deducted and withheld during such quarter if the payroll period of the employee was quarterly.

(5) The department is authorized to provide by regulations for withholding in addition to that otherwise required under this section, and in cases in which the employer and employee agree to such additional withholding. Such additional withholding shall for all purposes be considered tax required to be deducted and withheld under this Act.

Section 5. The remuneration paid by an employer to an employee for services performed during one-half or more of any payroll period of not more than thirty-one consecutive days constitutes wages, all the

remuneration paid by such employer to such employee for such period shall be deemed to be wages; but if the remuneration paid by an employer to an employee for services performed during more than one-half of any such payroll period does not constitute wages, then none of the remuneration paid by such employer to such employee for such period shall be deemed to be wages.

Section 6. Every employer required to deduct and withhold tax under Section 2 of this Act shall, for the quarterly period beginning January 1, 1956, and for each quarterly period thereafter, on or before the last day of the month following the close of each quarterly period, make return and pay over to the department of revenue, the tax required to be withheld under Section 2.

If the department has reason to believe that the collection of the tax provided for in Section 2 of this Act is in jeopardy in any case, it may require the employer to make such return and pay such tax at any time.

Every employer who fails to withhold or pay to the department any sums required by this Act to be withheld and paid shall be personally and individually liable therefor to the State of Alabama, and any sum or sums withheld in accordance with the provisions of Section 2 of this Act shall be deemed to be held in trust for the State of Alabama.

In the event an employer fails to withhold or pay over to the department any amount required to be withheld under Section 2 of this Act, such amount may be assessed against such employer in the same manner as is prescribed for the assessment of income taxes under the provisions of Section 407 of Title 51, Code 1940. Such employer may appeal from such final assessment in the same manner as is prescribed by law for appeals by the taxpayer. When no appeals is taken by the employer, execution may be issued upon the final assessment in the same manner as is provided by law for the issuance of an execution by the department of revenue.

The State shall have a lien upon all the property of any employer who fails to withhold or pay over to the department sums required to be withheld under Section 2 of this Act. If the employer withholds but fails to pay the amount withheld to the department, the lien shall accrue as of the date the amount withheld was required to be paid to the department. If the employer fails to withhold, the lien shall accrue at the time the liability of the employer becomes fixed.

Section 7. Every person required to deduct and withhold from an employee a tax under Section 2 of this Act shall furnish to each such employee in respect of the remuneration paid by such person to such employee during the calendar year, on or before January 31 of the succeeding year, or, if his employment is terminated before the close of such calendar year, on the day on which the last payment of remuneration is made, a written statement showing the following: a) the name of such person; b) the name of the employee and his social security account number, if any; c) the total amount of wages as defined in Section 4 of this Act; d) the total amount deducted and withheld as tax under Section 4 of this Act.

The statement required to be furnished by this section in respect of any wages shall be furnished at such other times, shall contain such other information, and shall be in such form as the department may by regulations prescribe. A duplicate of such statement, if made and filed in accordance with regulations prescribed by the department, shall constitute the return required to be made in respect to such wages under Section 393 of Title 51 of the 1940 Code. The department may promul-

gate regulations providing for reasonable extensions of time to employers required to furnish statements under this section.

Section 8. An employer shall be liable for the payment of the tax required to be deducted and withheld under Section 2 of this Act, and shall not be liable to any person for the amount of any such payment.

Section 9. Where there has been an overpayment of tax under Section 2 of this Act, refund or credit shall be made to the employer only to the extent that the amount of such overpayment was not deducted and withheld under Section 2 of this Act by the employer.

Unless written application for refund or credit is received by the department from the employer within two years from the date the overpayment is made, no refund or credit shall be allowed.

Section 10. The amount deducted and withheld as tax under Section 4 of this Act during any calendar year upon the wages of any individual shall be allowed as a credit to the recipient of the income against the tax imposed by Section 2 of this Act for taxable years beginning in such calendar year. If more than one taxable year begins in such calendar year such amount shall be allowed as a credit against the tax for the last taxable year so beginning. Where there has been an overpayment of any tax imposed under Section 2 of this Act, the amount of such overpayment may be credited against any tax levied by this Act or any installment thereof then due from the taxpayer, and any balance shall be refunded to the taxpayer.

Overpayments of taxes collected pursuant to Section 4 of this Act shall be refunded with interest at six percentum per annum. This interest shall not begin to accrue until ninety days after the overpayment is made, the return is filed, or the due date of the return, whichever is later. Exclusive authority to refund overpayments of taxes collected pursuant to this Act is vested in the Commissioner of Revenue or his authorized agents. No refund shall be made of less than one dollar.

Section 11. Every individual shall at the time prescribed in this section make a declaration of his estimated tax for the taxable year, if his income from sources other than wages can reasonably be expected to exceed one thousand dollars for the taxable year. In the declaration required the individual shall state: a) the amount which he estimates as the amount of tax under this Act for the taxable year; b) the amount which he estimates as a credit for the taxable year under Section 4 of this Act; c) the excess of the amount estimated under a) over the amount estimated under d), which excess for purposes of this Act shall be considered the estimated tax for the taxable year; d) such other information as may be prescribed in regulations promulgated by the department of revenue.

The declaration required shall be filed with the department on or before April fifteenth of the taxable year, except that if the requirements of this section as to income are first met after April 1 and before June 1 of the taxable year, the declaration shall be filed on or before June 15 of the taxable year; or after June 1 and before September 1 of the taxable year, the declaration shall be filed on or before September 15 of the taxable year; or if after September 1 of the taxable year, the declaration shall be filed on or before January 15 of the succeeding taxable year.

An individual may make amendments of the declaration filed during the taxable year under such regulations as the department may prescribe.



If the declaration is not required to be filed during the taxable year, but is required to be filed on or before such January 15, such return shall, for the purposes of this section, be considered as such declaration; and if the tax shown on the return reduced by the credit under Section 10 of this Act is greater than the estimated tax shown in the declaration previously made, or, in the last amendment thereof, such return shall, for the purposes of this section be considered as the amendment of the declaration permitted by this section to be filed on or before January 15. The department shall promulgate regulations governing reasonable extensions of time for filing declarations and paying the estimated tax; provided that, except in the case of taxpayers who are abroad, no such extension shall be for more than six months. If the taxpayer is unable to make his own declaration, the declaration shall be made by duly authorized agents or by the guardian or other person charged with the care of the person or property of such taxpayer.

Section 12. (1) The estimated tax provided for in Section 11 of this Act shall be paid as follows:

(a) If the declaration is filed on or before April 15 of the taxable year, the estimated tax shall be paid in four equal installments. The first installment shall be paid at the time of the filing of the declaration, and the second and third of June 15 and September 15, respectively, of the taxable year, and the fourth on January 15 of the succeeding year.

(b) If the declaration is filed after April 15 and not after June 15 of the taxable year and is not required by Section 11 of this Act to be filed on or before April 15 of the taxable year, the estimated tax shall be paid in three equal installments. The first installment shall be paid at the time of the filing of the declaration and the second on September 15 of the taxable year and the third on January 15 of the succeeding year.

(c) If the declaration is filed after June 15 and not after September 15 of the taxable year and is not required by Section 11 of this Act to be filed on or before June 15 of the taxable year, the estimated tax shall be paid in two equal installments; the first installment shall be paid at the time of the filing of the declaration and the second on January 15, of the succeeding year.

(d) If the declaration is filed after September 15 of the taxable year, and is not required by Section 11 of this Act to be filed on or before September 15 of the taxable year, the estimated tax shall be paid in full at the time of the filing of the declaration.

(e) if the declaration is filed after the time prescribed in Section 11 of this Act, including cases where extensions of time have been granted, paragraphs (b), (c), and (d) of this section shall not apply, and there shall be paid at the time of such filing all installments of estimated tax which would have been payable on or before such time if the declaration had been filed within the time prescribed by Section 11 of this Act, and the remaining installments shall be paid at the times at which and in the amounts in which they would have been payable if the declaration had been so filed.

(2) If any amendment of a declaration is filed, the remaining installments, if any, shall be ratably increased or decreased as the case may be, to reflect the respective increase or decrease in the estimated tax by reason of such amendment; and if any amendment is made after October 15 of the taxable year any increase in the estimated tax by reason thereof shall be paid at the time of making such amendment.

(3) At the election of the individual, any installment of the estimated tax may be paid prior to the date prescribed for its payment.

(4) Payment of the estimated tax, or any installment thereof, shall be considered payment on account of the tax for the taxable year.

(5) In the case of an individual whose estimated gross income from farming for the taxable year is at least two-thirds of the total estimated gross income from all sources for the taxable year, in lieu of the time prescribed in Section 11 of this Act, the declaration for the taxable year may be made at any time on or before February 15 of the succeeding taxable year; and if such an individual files a return on or before February 28 of the succeeding taxable year, and pays in full the amount computed on the return as payable, such return shall have the same effect as that prescribed in Section 11 of this Act in the case of a return filed on or before January 15 of the succeeding taxable year.

(6) The application of this section and of Section 11 of this act to taxable years of less than twelve months shall be as prescribed in regulations promulgated by the department.

(7) In the application of this section and Section 11 of this Act to taxpayers reporting income on a fiscal year basis, there shall be substituted for the dates specified therein, the months corresponding thereto.

Section 13. (a) In the case of individuals the total balance of the tax owed after credits for taxes paid through withholding as provided in Section 4 of this Act or through declarations as provided in Sections 11 and 12 of this Act shall be due and payable on the fifteenth day of April following the close of the calendar year, or if the return should be made on the basis of a fiscal year, then on the fifteenth day of the fourth month following the close of the fiscal year.

(b) In the case of fiduciaries, the total amount of the tax imposed by this Act shall be paid on the fifteenth day of April following the close of the calendar year or if the return should be made on the basis of a fiscal year, then on the fifteenth day of the fourth month following the close of the fiscal year.

(c) In the case of corporations the total amount of the tax imposed by this Act shall be paid on the fifteenth day of March following the close of the calendar year, or if the return shall be made on the basis of the fiscal year, then on the fifteenth day of the third month following the close of the fiscal year.

(d) In the case of a corporation, the taxpayer may elect to pay the tax in four equal installments, in which case the first installment shall be paid on the date prescribed for the payment of the tax by the taxpayer, the second installment shall be paid on the fifteenth day of the third month, the third installment on the fifteenth day of the sixth month, and the fourth installment on the fifteenth day of the ninth month, after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of the tax unpaid shall be paid upon notice and demand from the department of revenue.

(e) In the case of a fiduciary, the taxpayer may elect to pay the tax in four equal installments, in which case the first installment shall be paid on the date prescribed for the payment of the tax by the taxpayer, the second installment shall be paid on the fifteenth day of the second month, the third installment shall be paid on the fifteenth day of the fifth month, and the fourth installment on the fifteenth day of the eighth month, after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of the tax un-

paid shall be paid upon notice and demand from the department of revenue.

(f) At the request of the taxpayer, the department may extend the time for payment of the amount determined as the tax due by the taxpayer, or any installment thereof, for a period of not to exceed three months from the date prescribed for the payment of the tax or any installment thereof. In such case the amount in respect of which the extension shall be paid on or before the date of expiration of the period of the extension.

(g) The tax imposed by this Act or any installment thereof may be paid, at the election of the taxpayer, prior to the date prescribed for its payment.

Section 14. (1) Any employer required under the provisions of Section 2 of this Act to withhold taxes on wages and make quarterly returns and payment of amounts withheld to the department, who fails to withhold such taxes, or to make such returns, or who fails to remit amounts collected to the department, shall be liable for payment of the amount of taxes which should have been withheld and in addition shall be subject to a civil penalty equal to twenty-five percent of the amount of taxes that should have been properly withheld and paid over to the department for each such failure. Such tax and penalty shall be assessed and collected by the department and the assessment of such tax and penalty may be assessed in the manner provided in Section 407, of Title 51, of the 1940 Code of Alabama.

(2) (a) In the case of a failure to make and file a declaration of estimated tax within the time prescribed in Section 11 of this Act, unless such failure is shown to the satisfaction of the department to be due to reasonable cause and not to willful neglect, there shall be added to the tax five percent of each installment due but unpaid, and one percent of the unpaid amount thereof for each month, except the first, or fraction thereof during which such amount remains unpaid. In no event shall the aggregate addition to the tax under this subparagraph with respect to any installment due but unpaid, exceed ten percent of the unpaid portion of such installment. For the purpose of this subparagraph, the amount and due date of each installment shall be the same as if a declaration had been filed within the time prescribed showing an estimated tax equal to the correct tax reduced by the credit allowed by Section 11 of this Act.

(b) Where a declaration of estimated tax has been made and filed within the time prescribed, or where a declaration of estimated tax has been made and filed after the time prescribed and the department has found that failure to make and file such declaration within the time prescribed was due to reasonable cause and not to willful neglect, in the case of a failure to pay an installment of the estimated tax within the time prescribed, unless such failure is shown to the satisfaction of the department to be due to reasonable cause and not to willful neglect, there shall be added to the tax five percent of the unpaid amount of such installment and, in addition, one percent of such unpaid amount for each month, except the first, or fraction thereof during which such amount remains unpaid. In no event shall the aggregate addition to the tax under this subparagraph with respect to any installment due but unpaid, exceed ten percent of the unpaid portion of such installment.

(3) If eighty percent of the tax, determined without regard to the credit for tax withheld in the case of individuals other than farmers exercising an election under Section 11 of this Act, or sixty-six and two-thirds percent of such tax so determined in the case of such farm-

ers, exceeds the estimated tax, increased by such credit, there shall be added to the tax an amount equal to such excess, or equal to six percent of the amount by which such tax so determined exceeds the estimated tax so increased, whichever is the lesser. This subsection shall not apply to the taxable year in which falls the death of the taxpayer, nor shall it apply to the taxable year in which the taxpayer makes a timely payment on April 15, June 15, September 15, of each year, or on January 15 of the year succeeding the taxable year, or in the case of farmers exercising an election under Section 11 of this Act within the last quarter, and making payment in an amount at least as great as though computed on the basis of the facts shown on his return for the preceding taxable year.

(4) Any penalty imposed by subsections (1), (2), or (3), of this section, shall be assessed, collected, and paid in the same manner as if it were a deficiency.

(5) Every tax imposed by this Act, and all increases, interest and penalties thereof, shall become a personal debt to the state from the taxpayer or other person liable therefor from the time it is due and payable.

Section 15. Every individual taxpayer having an adjusted gross income of one thousand dollars (\$1,000.00) or over shall each year, make under oath to the department of revenue a return stating specifically the items of his gross income and his ordinary and necessary expenses incurred in earning this gross income. Returns made on the basis of the calendar year shall be made on or before the fifteenth day of April following the close of the calendar year. Returns made on the basis of a fiscal year shall be made on or before the fifteenth day of the fourth month following the close of the fiscal year. The department may grant a reasonable extension of time for filing returns under such rules and regulations as it shall prescribe.

Every partnership and every fiduciary (except receivers appointed by authority of law in possession of part only of the property of a taxpayer) shall make a return showing such facts as shall allow the department of revenue to correctly enforce this Act. Such returns shall be filed at the same times that individuals and corporations are required to file returns.

Every corporation, joint stock company, or association subject to the provisions of this Act shall make a return to the department of revenue for each taxable year stating specifically the items of its gross income and the necessary and ordinary business expenses incurred in earning this income. The return shall be sworn to by the president or other principal officer, and by the treasurer or assistant treasurer. In cases where a receiver, a trustee, or an assignee is operating the business of a corporation, such receiver, trustee, or assignee shall make returns for such corporation. Returns made on the basis of the calendar year shall be made on or before the fifteenth day of April following the close of the calendar year. Returns made on the basis of a fiscal year shall be made on or before the fifteenth day of the fourth month following the close of the fiscal year. The department may grant a reasonable extension of time for filing returns under such rules and regulations as it shall prescribe.

Section 16. Any person or corporation, joint stock company, or association liable for tax under this Act, who shall fail to make returns as required by this Act within the time allowed or who shall fail to pay such tax shall be liable for a penalty of ten percent of such tax which may be assessed and collected as a part of the tax. The tax

provided for in this Act shall be assessed and fixed by the department of revenue. Where the department of revenue determines that the amount due is different from that shown by the taxpayer's return, notice of such different amount shall be given to the taxpayer by registered mail, return receipt requested, giving the taxpayer notice of the amount so fixed, and the department shall fix a day, not less than fifteen days from date of such notice, for hearing any protest of the taxpayer. The time and place of such hearing shall be designated by such notice. Upon hearing such protest or if the taxpayer fails to appear on the day set, the department of revenue shall finally fix, determine, and assess the amount of tax due and notify the taxpayer thereof by registered mail. Within thirty days from the date of mailing the letter advising the taxpayer of such assessment the taxpayer may appeal from such assessment in the same manner as from assessments made by the department of revenue as provided for in Title 51, Code of Alabama 1940.

Any person or corporation failing or refusing to make a list or return required by this Act, or rendering a willfully false or fraudulent list or return, shall be assessed by the department of revenue on account of such tax in such manner as appears to it from the best information obtainable, either by examination of the defaulting taxpayer or any other evidence. In case of failure or neglect to make such list or return, the department of revenue may at its discretion add a penalty of not more than twenty-five percent as a penalty to the amount of the tax due; and in the case of willfully false or fraudulent return or list having been rendered, the department of revenue shall add a penalty of not more than fifty percent as a penalty to said tax.

Section 17. The proceeds of the tax hereby levied shall be remitted by the state department of revenue to the state treasurer. All proceeds, less the amount appropriated to pay the cost of collection, are hereby appropriated to the Alabama Special Educational Trust Fund. There shall be appropriated each fiscal year to the state department of revenue the amount necessary to defray the expense of collecting the tax hereby imposed, which amount shall be deducted from the proceeds of the tax. It is provided, however, that the appropriation shall be budgeted and allotted in the manner prescribed by Article 3, Chapter 4, Title 55, Code of Alabama (1940).

Section 18. Nothing in this Act shall be construed to require declarations of estimated income to be filed by estates and trusts.

Section 19. Any laws or parts of laws in conflict with this Act are hereby repealed.

Section 20. The provisions of this Act are hereby declared to be severable; and should any section, term, or provision herein be declared unconstitutional, such declaration shall not in any manner affect the remaining sections, terms, or provisions of this Act.

Section 21. This Act shall become effective upon the ratification of an amendment of the Constitution of Alabama relating to the levy of a tax on gross income; the operation of the Act depends upon the ratification of such amendment; if the amendment is not ratified and proclaimed as prescribed by law, this Act shall have no effect whatsoever.

On motion of Mr. Goodwyn, the motion of Mr. Harrison to postpone further consideration of the bill, H. 788, and pending substitute and amendments, until the next legislative day, was laid upon the table.

Yeas 49; Nays 38.

**Yeas:**

Mr. Speaker

Albea

Bassett

Boyd

Brannan	Edwards (Escambia)	Killough	Ramey
Brassell	Ferrell	Lee (Lawrence)	Roberts
Brewer	Gilchrist	McKay	Simon
Brown (Lamar)	Goodwyn	McNider	Speaks
Brown (Lee)	Gregory	Martin	Steagall
Burkhalter	Hall	Mathison	Stembridge
Cornett	Haltom	Nettles	Summerlin
Crook	Hanby	Nice	Taylor
Dawkins	Hawkins	Nolen	Tyson
deGraffenried	Johnson (Elmore)	Oden	Ward
Dement	Kelly	Payne	Wood
Dickson			

—49

**Nays:**

Messrs.	Edwards (Jefferson)	Kaul	Oakley
Adams	Faulk	Kendall	Perry
Ashworth	Franklin	Lackey	Pruitt
Bradford	Grouby	Law	Reynolds
Broadfoot	Hardy	Locke (Choctaw)	Richardson
Brooks	Harrison	Locke (Perry)	Stokes
Callahan	Harvey	Love	Thomas
Cox	Holliman	McClendon	Vacca
Davis	Jenkins	Meeks	Windle
DeSear	Johnson (Tallapoosa)	Molette	

—38

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, and the substitute was adopted.

Yeas 85; Nays 3.

**Yeas:**

Mr. Speaker	Dement	Johnson (Elmore)	Oakley
Adams	Dickson	Johnson (Tallapoosa)	Oden
Albea	Edwards (Escambia)	Kaul	Payne
Ashworth	Faulk	Kelly	Perry
Bassett	Ferrell	Kendall	Pirkle
Boyd	Franklin	Killough	Ramey
Bradford	Gilchrist	Lackey	Reynolds
Brannan	Goodwyn	Law	Richardson
Brassell	Gregory	Lee (Barbour)	Roberts
Brewer	Grouby	Lee (Lawrence)	Simon
Broadfoot	Hain	Love	Speaks
Brooks	Hall	McClendon	Steagall
Brown (Lamar)	Haltom	McKay	Stembridge
Brown (Lee)	Hanby	McNider	Summerlin
Burkhalter	Hardy	Martin	Taylor
Callahan	Harrison	Mathison	Thomas
Cornett	Harvey	Meeks	Tyson
Cox	Hawkins	Molette	Vacca
Crook	Hodges	Nettles	Ward
Davis	Holliman	Nice	Windle
Dawkins	Jenkins	Nolen	Wood
deGraffenried			

—85

**Nays:** Messrs. DeSear, Locke (Perry) and Pruitt.

—3

The question was then upon the adoption of the amendments reported by the Standing Committee on Ways and Means, said committee amendments being as follows:

WAYS AND MEANS COMMITTEE AMENDMENT NO. 1 TO  
H. B. 788 AS AMENDED

Amend Section 3 of H. B. 788 as Amended by adding Sub Section 6 thereto to read as follows "(6) Non-Profit Hospitals."

And the amendment was adopted.

Yeas 90; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Oden
Adams	Edwards (Escambia)	Kaul	Payne
Albea	Edwards (Jefferson)	Kelly	Perry
Ashworth	Faulk	Kendall	Pirkle
Bassett	Ferrell	Killough	Pruitt
Boyd	Franklin	Lackey	Ramey
Bradford	Gilchrist	Law	Reynolds
Brannan	Goodwyn	Lee (Barbour)	Richardson
Brassell	Gregory	Lee (Lawrence)	Roberts
Brewer	Grouby	Locke (Perry)	Simon
Broadfoot	Hain	Love	Speaks
Brooks	Hall	McClendon	Steagall
Brown (Lamar)	Haltom	McKay	Stembridge
Brown (Lee)	Hanby	McNider	Stokes
Burkhalter	Hare	Martin	Summerlin
Callahan	Harrison	Mathison	Taylor
Cox	Harvey	Meeks	Thomas
Crook	Hawkins	Molette	Tyson
Davis	Hodges	Nettles	Vacca
Dawkins	Holliman	Nice	Ward
deGraffenried	Huddleston	Nolen	Windle
Dement	Jenkins	Oakley	Wood
DeSear	Johnson (Elmore)		

—90

**And:**

WAYS AND MEANS COMMITTEE AMENDMENT NO. 2 TO  
HOUSE BILL 788 AS AMENDED

Amend H. B. 788 by striking from subsection (2) of Section 1 thereof subsection (c-1).

Further amend H. B. 788 by inserting in Section 1 thereof immediately before the words "The amount of all such items shall be included in the gross income for the taxable year in which received by the taxpayer;" the following: For the purposes of this Act, in computing gain or loss on the sale or other disposition of property, the basis shall be the same as provided for in Title 51, Section 378, Subsection (9), Code of Alabama 1940, except the date of January 1, 1955 shall be substituted for the date used in Section 378, Subsection (9) of January 1, 1933. Losses shall be allowed only to offset gains in the taxable year.

And the amendment was adopted.

Yeas 91; Nays 0.

**Yeas:**

Mr. Speaker	Ashworth	Bradford	Brewer
Adams	Bassett	Brannan	Broadfoot
Albea	Boyd	Brassell	Brooks

Brown (Lamar)	Gregory	Law	Pirkle
Brown (Lee)	Grouby	Lee (Barbour)	Pruitt
Burkhalter	Hain	Lee (Lawrence)	Ramey
Callahan	Hall	Locke (Choctaw)	Reynolds
Cornett	Halton	Locke (Perry)	Richardson
Cox	Hanby	Love	Roberts
Crook	Hare	McClendon	Shumate
Davis	Harrison	McKay	Simon
Dawkins	Harvey	McNider	Speaks
deGraffenried	Hawkins	Martin	Steagall
Dement	Hodges	Mathison	Stembridge
DeSear	Holliman	Meeks	Stokes
Dickson	Huddleston	Molette	Summerlin
Edwards (Escambia)	Jenkins	Nettles	Taylor
Edwards (Jefferson)	Johnson (Elmore)	Nice	Thomas
Faulk	Johnson (Tallapoosa)	Nolen	Tyson
Ferrell	Kaul	Oakley	Vacca
Franklin	Kendall	Oden	Ward
Gilchrist	Killough	Payne	Windle
Goodwyn	Lackey	Perry	

—91

Mr. Goodwyn offered the following amendment to the bill, H. 788, as amended:

#### AMENDMENT TO SUBSTITUTE FOR H. B. 788

Strike out subsection (1) of Section 4 of the bill as amended by the substitute and insert in lieu thereof the following:

"Section 4. (1) Every employer who makes payment of wages shall deduct and withhold upon such wages of all employees where adjusted income exceeds one thousand dollars per annum a tax equal to one-half of one percent of the amount of wages paid, or to be paid in the calendar year of such employer. As used herein, the term 'employer' shall have the same meaning as the term has under the income tax laws of the United States with respect to income tax collected at the source; The term 'wages' and the term 'employees' shall have the same meaning as those terms have under such laws."

Also, strike out paragraphs (3) and (4) on page 3 of the bill as amended by the substitute and insert in lieu thereof the following:

"(3) (a) Life Insurance Companies. The term 'life insurance company' as used in this Act shall have the same meaning as in Section 801 of the United States Internal Revenue Code of 1954.

"(b) Other Insurance Companies. The term 'other insurance company' as used in this Act shall mean an insurance company as defined in Act No. 77 of the Second Special Session of the Alabama Legislature of 1955 except companies defined in subsection (3) (a) of this section 1.

"(4) (a) Adjusted Gross Income of Life Insurance Companies. The words 'adjusted gross income' with respect to a 'life insurance company' shall mean its gross investment income less the ordinary and necessary expenses paid or incurred in acquiring such income and less the interest required to maintain its reserves on outstanding policies and supplementary contracts on the basis shown in the annual statement filed by the life insurance company with the Superintendent of Insurance of the State of Alabama.

"(b) Adjusted Gross Income of Other Insurance Companies. The words 'adjusted gross income' with respect to 'other insurance com-



panies' shall have the same meaning as the term 'taxable income' as defined in Section 832 of the United States Internal Revenue Code of 1954.

"(c) Adjusted Gross Income of Foreign Insurance Companies. The adjusted gross income of a life insurance company or other insurance company organized under the laws of any country or of any state of the United States other than the State of Alabama shall mean the adjusted gross income of such company as defined hereinabove less a percentage of such adjusted gross income determined by the ratio which the company's premium income paid by citizens of countries or states other than the State of Alabama bears to the company's total premium income."

And the amendment was adopted.

Yeas 69; Nays 7.

**Yeas:**

Mr. Speaker	Dement	Hawkins	Oakley
Albea	DeSear	Hodges	Oden
Bassett	Dickson	Huddleston	Payne
Bradford	Edwards (Escambia)	Johnson (Elmore)	Perry
Brannan	Edwards (Jefferson)	Kaul	Pirkle
Brassell	Faulk	Kendall	Ramey
Brewer	Franklin	Killough	Reynolds
Broadfoot	Gilchrist	Law	Richardson
Brooks	Goodwyn	Lee (Lawrence)	Simon
Brown (Lamar)	Gregory	McClendon	Speaks
Brown (Lee)	Grouby	McKay	Steagall
Burkhalter	Hain	McNider	Summerlin
Callahan	Hall	Martin	Taylor
Cornett	Haltom	Mathison	Thomas
Cox	Hanby	Meeks	Tyson
Crook	Hare	Molette	Vacca
Dawkins	Harrison	Nolen	Ward
deGraffenried			

—69

**Nays:**

Messrs.	Davis	Johnson (Tallapoosa)	Stembridge
Boyd	Holliman	Lee (Barbour)	Stokes

—7

Mr. Goodwyn offered the following amendment to the bill, H. 788, as amended:

**AMENDMENT TO SUBSTITUTE FOR H. B. 788**

Amend the first sentence of Section 2 to read as follows:

Section 2. In addition to all other taxes now imposed by law there is hereby levied and imposed a special tax on the incomes of individuals and domestic corporations from whatever source derived within this State, and on the income of every foreign corporation doing business in Alabama which is derived from its property situated within this state and from its business done and transacted within this state, which tax shall be assessed, collected and paid at the rates specified herein, for each year, as hereinafter provided.

And the amendment was adopted.

Yeas 86; Nays 0.

**Yeas:**

Mr. Speaker	Dement	Jenkins	Nolen
Adams	DeSear	Johnson (Elmore)	Oakley
Albea	Dickson	Johnson (Tallapoosa)	Oden
Ashworth	Edwards (Escambia)	Kaul	Payne
Bassett	Edwards (Jefferson)	Kendall	Perry
Boyd	Faulk	Killough	Pirkle
Bradford	Ferrell	Lackey	Ramey
Brannan	Franklin	Law	Reynolds
Brassell	Gilchrist	Lee (Barbour)	Richardson
Brewer	Goodwyn	Lee (Lawrence)	Roberts
Broadfoot	Gregory	Locke (Choctaw)	Simon
Brooks	Grouby	Locke (Perry)	Speaks
Brown (Lamar)	Hain	Love	Steagall
Brown (Lee)	Hall	McClendon	Stembridge
Burkhalter	Haltom	McKay	Stokes
Callahan	Hanby	McNider	Summerlin
Cornett	Hare	Martin	Taylor
Cox	Harrison	Mathison	Thomas
Crook	Hawkins	Meeks	Tyson
Davis	Hodges	Molette	Vacca
Dawkins	Holliman	Nice	Ward
deGraffenried	Huddleston		

—86

Mr. Goodwyn offered the following amendment to the bill, H. 788, as amended:

**AMENDMENT TO SUBSTITUTE FOR H. B. 788**

Amend Section 3, paragraph (2), by adding the word "research" after the word "literary" and before the words "or educational purposes".

And the amendment was adopted.

Yeas 89; Nays 0.

**Yeas:**

Mr. Speaker	Dawkins	Harvey	McNider
Adams	deGraffenried	Hawkins	Martin
Albea	Dement	Hodges	Mathison
Ashworth	DeSear	Huddleston	Meeks
Bassett	Dickson	Jenkins	Molette
Boyd	Edwards (Escambia)	Johnson (Elmore)	Nice
Bradford	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Brannan	Faulk	Kaul	Oakley
Brassell	Ferrell	Kelly	Oden
Brewer	Gilchrist	Kendall	Payne
Broadfoot	Goodwyn	Killough	Perry
Brooks	Gregory	Lackey	Pirkle
Brown (Lamar)	Grouby	Law	Pruitt
Brown (Lee)	Hain	Lee (Barbour)	Ramey
Burkhalter	Hall	Lee (Lawrence)	Reynolds
Callahan	Haltom	Locke (Choctaw)	Richardson
Cornett	Hanby	Locke (Perry)	Roberts
Cox	Hardy	Love	Shumate
Crook	Hare	McClendon	Simon
Davis	Harrison	McKay	Speaks

Steagall  
Stembridge  
Stokes

Summerlin  
Taylor

Thomas  
Tyson

Vacca  
Ward

—89

Mr. Dawkins offered the following amendment to the bill, H. 788, as amended:

Amend House Bill 788, as amended, by striking therefrom Section 6 thereof as the same now appears and inserting in lieu thereof the following:

Section 6. Every employer required to deduct and withhold tax under Section 4 of this Act shall, for the quarterly period beginning January 1, 1956, and for each quarterly period thereafter, on or before the last day of the month following the close of each quarterly period, make return and pay over to the department of revenue, the tax required to be withheld under Section 4.

If the department has reason to believe that the collection of the tax provided for in Section 4 of this Act is in jeopardy in any case, it may require the employer to make such return and pay such tax at any time.

Every employer who fails to withhold or pay to the department any sums required by this Act to be withheld and paid shall be personally and individually liable therefor to the State of Alabama, and any sum or sums withheld in accordance with the provisions of Section 4 of this Act shall be deemed to be held in trust for the State of Alabama.

In the event an employer fails to withhold or pay over to the department any amount required to be withheld under Section 4 of this Act, such amount may be assessed against such employer in the same manner as is prescribed for the assessment of income taxes under the provisions of Section 407 of Title 51, Code of 1940. Such employer may appeal from such final assessment in the same manner as is prescribed by law for appeals by the taxpayer. When no appeal is taken by the employer, execution may be issued upon the final assessment in the same manner as is provided by law for the issuance of an execution by the department of revenue.

The State shall have a lien upon all the property of any employer who fails to withhold or pay over to the department sums required to be withheld under Section 4 of this Act. If the employer withholds but fails to pay the amount withheld to the department, the lien shall accrue as of the date the amount withheld was required to be paid to the department. If the employer fails to withhold, the lien shall accrue at the time the liability of the employer becomes fixed.

Further amend House Bill 788, as amended, by striking therefrom Section 7 thereof as the same now appears and inserting in lieu thereof the following:

Section 7. Every person required to deduct and withhold from an employee a tax under Section 4 of this Act shall furnish to each such employee in respect of the remuneration paid by such person to such employee during the calendar year, on or before January 31 of the succeeding year, or, if his employment is terminated before the close of such calendar year, on the day on which the last payment or remuneration is made, a written statement showing the following: a) the name of such person; b) the name of the employee and his social security account number, if any; c) the total amount of wages as defined in Section 5 of this Act; d) the total amount deducted and withheld as tax under Section 4 of this Act.

The statement required to be furnished by this section in respect of any wages shall be furnished at such other times, shall contain such other information, and shall be in such form as the department may by regulations prescribe. A duplicate of such statement, if made and filed in accordance with regulations prescribed by the department, shall constitute the return required to be made in respect to such wages under Section 393 of Title 51 of the 1940 Code. The department may promulgate regulations providing for reasonable extensions of time to employers required to furnish statements under this section.

Further amend House Bill 788, as amended, by striking therefrom Section 8 thereof as the same now appears and inserting in lieu thereof the following:

Section 8. An employer shall be liable for the payment of the tax required to be deducted and withheld under Section 4 of this Act, and shall not be liable to any person for the amount of any such payment.

Further amend House Bill 788, as amended, by striking therefrom Section 9 thereof as the same now appears and inserting in lieu thereof the following:

Section 9. Where there has been an overpayment of tax under Section 4 of this Act, refund or credit shall be made to the employer only to the extent that the amount of such overpayment was not deducted and withheld under Section 4 of this Act by the employer.

Unless written application for refund or credit is received by the department from the employer within two years from the date the overpayment is made, no refund or credit shall be allowed.

Further amend House Bill 788, as amended, by striking from the first sentence of Section 14 where they appear together therein the word and figure Section 2 and inserting in lieu thereof the word and figure Section 4.

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dement	Huddleston	Nolen
Albee	DeSear	Johnson (Elmore)	Oakley
Bassett	Dickson	Johnson (Tallapoosa)	Oden
Boyd	Edwards (Escambia)	Kaul	Payne
Bradford	Edwards (Jefferson)	Kelly	Perry
Brannan	Faulk	Kendall	Ramey
Brassell	Ferrell	Lackey	Reynolds
Brewer	Franklin	Law	Richardson
Broadfoot	Goodwyn	Lee (Barbour)	Roberts
Brooks	Gregory	Lee (Lawrence)	Simon
Brown (Lamar)	Grouby	Locke (Choctaw)	Speaks
Brown (Lee)	Hain	Love	Steagall
Burkhalter	Hall	McClendon	Stembridge
Cornett	Haltom	McKay	Summerlin
Cox	Hanby	McNider	Thomas
Crook	Hardy	Martin	Vacca
Davis	Hare	Mathison	Ward
Dawkins	Hawkins	Molette	Wood
deGraffenried	Hodges		

—74

Mr. Meeks offered the following amendment to the bill, H. 788, as amended:

## AMENDMENT TO SUBSTITUTE FOR H. B. NO. 788

Amend Substitute for House Bill No. 788 by striking therefrom subparagraph (5) of Section 2, and inserting in lieu thereof the following:

(5) every estate and trust resident in the State of Alabama to the extent of its undistributed adjusted gross income.

And the amendment was adopted.

Yeas 91; Nays 0.

## Yeas:

Mr. Speaker	DeSear	Johnson (Elmore)	Oakley
Adams	Dickson	Johnson (Tallapoosa)	Oden
Albea	Edwards (Escambia)	Kaul	Payne
Ashworth	Edwards (Jefferson)	Kelly	Perry
Bassett	Faulk	Kendall	Pirkle
Boyd	Ferrell	Killough	Pruitt
Bradford	Franklin	Lackey	Ramey
Brannan	Gilchrist	Law	Reynolds
Brassell	Goodwyn	Lee (Barbour)	Richardson
Brewer	Gregory	Lee (Lawrence)	Roberts
Broadfoot	Grouby	Locke (Choctaw)	Shumate
Brooks	Hain	Locke (Perry)	Simon
Brown (Lamar)	Hall	Love	Steagall
Brown (Lee)	Haltom	McClendon	Stembridge
Burkhalter	Hanby	McKay	Stokes
Callahan	Hardy	McNider	Summerlin
Cornett	Hare	Martin	Taylor
Cox	Harrison	Mathison	Thomas
Crook	Harvey	Meeks	Tyson
Davis	Hawkins	Molette	Vacca
Dawkins	Hodges	Nettles	Ward
deGraffenried	Huddleston	Nice	Wood
Dement	Jenkins	Nolen	

—91

Mr. Meeks offered the following amendment to the bill, H. 788, as amended:

## AMENDMENT TO SUBSTITUTE FOR H. B. NO. 788

Amend Substitute for House Bill No. 788 by adding to Section 3 thereof the following:

(7) Charitable trusts and pension trusts which are exempt from Federal income tax and State of Alabama income tax.

And the amendment was adopted.

Yeas 88; Nays 0.

## Yeas:

Mr. Speaker	Brassell	Cornett	Dickson
Adams	Brewer	Cox	Edwards (Escambia)
Albea	Broadfoot	Crook	Edwards (Jefferson)
Ashworth	Brooks	Davis	Faulk
Bassett	Brown (Lamar)	Dawkins	Ferrell
Boyd	Brown (Lee)	deGraffenried	Franklin
Bradford	Burkhalter	Dement	Gilchrist
Brannan	Callahan	DeSear	Goodwyn

Gregory	Johnson (Tallapoosa)	Martin	Reynolds
Grouby	Kaul	Mathison	Richardson
Hain	Kendall	Meeks	Roberts
Hall	Killough	Molette	Shumate
Haltom	Lackey	Nettles	Simon
Hanby	Law	Nice	Steagall
Hardy	Lee (Barbour)	Nolen	Stembridge
Harrison	Lee (Lawrence)	Oakley	Stokes
Harvey	Locke (Choctaw)	Oden	Summerlin
Hawkins	Locke (Perry)	Payne	Taylor
Hodges	Love	Perry	Thomas
Holliman	McClendon	Pirkle	Tyson
Huddleston	McKay	Pruitt	Ward
Johnson (Elmore)	McNider	Ramey	Wood

—88

Mr. Lee (Barbour) offered the following amendment to the bill, H. 788, as amended:

#### AMENDMENT TO SUBSTITUTE H. B. 788

Amend Sec. 3 of H. B. 788 by inserting after the last sentence thereof the following:

( ) "State Banks" —

On motion of Mr. Goodwyn the amendment offered by Mr. Lee (Barbour) was laid upon the table.

Yeas 52; Nays 35.

#### Yeas:

Mr. Speaker	Dawkins	Hodges	Nolen
Ashworth	deGraffenried	Huddleston	Oakley
Bassett	Dement	Johnson (Elmore)	Oden
Boyd	Edwards (Escambia)	Johnson (Tallapoosa)	Payne
Bradford	Ferrell	Kelly	Ramey
Brannan	Goodwyn	Law	Reynolds
Brassell	Gregory	Lee (Lawrence)	Roberts
Brewer	Grouby	Love	Simon
Broadfoot	Hain	McKay	Speaks
Brooks	Haltom	McNider	Summerlin
Brown (Lamar)	Hanby	Martin	Tyson
Brown (Lee)	Hare	Mathison	Ward
Cox	Hawkins	Nice	Wood

—52

#### Nays:

Messrs.	Edwards (Jefferson)	Jenkins	Nettles
Adams	Faulk	Kaul	Perry
Albea	Franklin	Kendall	Pruitt
Callahan	Gilchrist	Killough	Richardson
Cornett	Hall	Lackey	Steagall
Crook	Hardy	Lee (Barbour)	Stembridge
Davis	Harrison	Locke (Perry)	Stokes
DeSear	Harvey	Meeks	Thomas
Dickson	Holliman	Molette	Vacca

—35

Mr. Davis offered the following amendment to the bill, H. 788, as amended:

Amend H. B. 788 substitute by adding at the end of Section 3 thereof the following:

(8) Insurance companies and insurers upon which the statutes of Alabama impose a tax upon their premium income.

On motion of Mr. Goodwyn the amendment offered by Mr. Davis was laid upon the table.

Yeas 49; Nays 37.

**Yeas:**

Mr. Speaker	Dement	Johnson (Elmore)	Ramey
Albea	Dickson	Killough	Reynolds
Ashworth	Franklin	Law	Richardson
Bassett	Goodwyn	Love	Shumate
Bradford	Gregory	McKay	Simon
Brassell	Grouby	McNider	Speaks
Broadfoot	Haltom	Martin	Summerlin
Brooks	Hanby	Mathison	Taylor
Brown (Lamar)	Hare	Nice	Thomas
Brown (Lee)	Hawkins	Nolen	Tyson
Cox	Hodges	Oakley	Ward
Crook	Huddleston	Payne	Wood
deGraffenried			

—49

**Nays:**

Messrs.	Faulk	Kendall	Perry
Boyd	Gilchrist	Lackey	Pirkle
Brewer	Hain	Lee (Barbour)	Pruitt
Burkhalter	Hall	Locke (Choctaw)	Roberts
Cornett	Hardy	Locke (Perry)	Steagall
Davis	Harrison	McClendon	Stembridge
Dawkins	Harvey	Meeks	Stokes
DeSear	Holliman	Molette	Vacca
Edwards (Escambia)	Jenkins	Nettles	Windle
Edwards (Jefferson)	Kaul		

—37

Mr. Richardson offered the following amendment to the bill, H. 788, as amended:

**AMENDMENT TO H. B. NO. 788**

Amend Section 1, Subsection (2) paragraph (4) to read as follows:

Losses from debts ascertained to be worthless and charged off during the taxable year of such ascertainment, if sustained in the conduct of the regular trade or business of the taxpayer during the period covered by this act if the amount of the same has been included in the gross income of the said trade or business.

And the amendment was adopted.

Yeas 84; Nays 0.

**Yeas:**

Mr. Speaker	Bassett	Brassell	Brown (Lamar)
Adams	Boyd	Brewer	Brown (Lee)
Albea	Bradford	Broadfoot	Burkhalter
Ashworth	Brannan	Brooks	Callahan

Cornett	Hall	Lackey	Perry
Cox	Haltom	Law	Pirkle
Crook	Hanby	Lee (Barbour)	Pruitt
Dawkins	Hardy	Lee (Lawrence)	Ramey
deGraffenried	Hare	Locke (Choctaw)	Reynolds
Dement	Harrison	Locke (Perry)	Richardson
DeSear	Harvey	McClendon	Roberts
Dickson	Hawkins	McKay	Simon
Edwards (Escambia)	Hodges	McNider	Speaks
Edwards (Jefferson)	Holliman	Martin	Summerlin
Faulk	Huddleston	Mathison	Taylor
Ferrell	Jenkins	Meeks	Thomas
Franklin	Johnson (Tallapoosa)	Nettles	Tyson
Gilchrist	Kaul	Nolen	Vacca
Goodwyn	Kelly	Oakley	Ward
Grouby	Kendall	Oden	Windle
Hain	Killough	Payne	Wood

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And said bill, H. 788, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

#### Yeas:

Mr. Speaker	Dement	Hodges	Oden
Adams	DeSear	Huddleston	Payne
Albea	Dickson	Johnson (Elmore)	Perry
Ashworth	Edwards (Escambia)	Johnson (Tallapoosa)	Pirkle
Bassett	Edwards (Jefferson)	Kaul	Pruitt
Boyd	Faulk	Kelly	Ramey
Bradford	Ferrell	Kendall	Reynolds
Brannan	Franklin	Killough	Richardson
Brassell	Gilchrist	Lackey	Roberts
Brewer	Goodwyn	Law	Simon
Broadfoot	Gregory	Lee (Barbour)	Speaks
Brooks	Grouby	Lee (Lawrence)	Steagall
Brown (Lamar)	Hain	McClendon	Stokes
Brown (Lee)	Hall	McKay	Summerlin
Burkhalter	Haltom	McNider	Taylor
Callahan	Hanby	Martin	Thomas
Cornett	Hardy	Mathison	Tyson
Cox	Hare	Meeks	Vacca
Crook	Harrison	Nettles	Ward
Dawkins	Harvey	Nice	Wood
deGraffenried	Hawkins	Nolen	

—83

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee on Conference on the disagreement of the two houses on the Senate amendment to the Bill:

H. 98. To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters of this State.

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Coleman, Cantrell and Eddins.

J. E. SPEIGHT,  
Secretary.



## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 665. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$35,000.00 to the Department of Finance—Mail and Supply Room to be used as a revolving fund for the payment of telephone bills for the State Departments, boards, bureaus and agencies using the State central telephone system in the City of Montgomery; to provide for the expenditures therefrom and the reimbursement thereto.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 110. To amend further Section 89 of Title 36, Code of Alabama (1940), which limits the size and weight of motor vehicles and loads.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By the Rules Committee:

S. J. R. 64. RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, August 12th, 1955.

J. E. SPEIGHT,  
Secretary.

## SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S. J. R. 64 set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to House Bill No. 473.

Respectfully submitted,

O. H. FINNEY, JR.,  
Executive Secretary.

AUGUST 9, 1955

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 473, without my approval, for the following reasons:

1. Local legislation as operative in the Alabama Legislature is not intended to be an instrument to undermine broad rights and privileges as granted by our basic laws of freedom and pursuit of opportunity;

2. The very nature of said bill strips individuals of certain rights which they have enjoyed in this country for hundreds of years;

3. It is unjust, unfair, and undemocratic to levy a fantastic solicitation fee upon procurement of organizational memberships as outlined in said bill; and regardless of whatever group or organization said bill is directed toward, its very wording makes this exorbitant collection of fees apply equally to charitable and benevolent organizations, as well as fraternal groups.

4. Said bill is untenable in that it restricts fundamental rights and privileges already guaranteed our citizens by law; therefore, I am returning this bill without my approval.

Respectfully,

JAMES E. FOLSOM,  
Governor.

#### GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. 473. Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

The question was upon the passage of the bill, H. 473, the Governor's veto to the contrary notwithstanding.

And the bill, H. 473, was again read at length, and the House refused to pass said bill over the veto of the Governor.

Yeas 48; Nays 16.

#### Yeas:

Messrs.	DeSear	Holliman	Martin
Adams	Dickson	Jenkins	Nettles
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Ashworth	Faulk	Kaul	Payne
Boyd	Franklin	Kendall	Perry
Bradford	Gilchrist	Killough	Richardson
Brannan	Hain	Lackey	Roberts
Brooks	Hall	Lee (Barbour)	Stokes
Brown (Lee)	Haltom	Locke (Perry)	Summerlin
Cornett	Hardy	McClendon	Taylor
Cox	Hare	McKay	Thomas
Crook	Harvey	McNider	Windle
Davis			

**Nays:**

Messrs.	Gregory	Huddleston	Shumate
Brassell	Hanby	Nice	Steagall
Broadfoot	Hawkins	Oden	Stembridge
Dawkins	Hodges	Pruitt	Vacca
Dement			

—16

Mr. Pruitt moved to reconsider the vote by which the House refused to pass the bill, H. 473, over the veto of the Governor.

The motion of Mr. Hawkins to lay on the table the motion of Mr. Pruitt to reconsider the vote by which the House refused to pass the bill, H. 473, over the veto of the Governor, was lost.

Yeas 14; Nays 52.

**Yeas:**

Messrs.	Dement	Hodges	Shumate
Brassell	Gregory	Huddleston	Stembridge
Broadfoot	Hanby	Nice	Vacca
Dawkins	Hawkins	Oden	

—14

**Nays:**

Mr. Speaker	DeSear	Jenkins	Oakley
Adams	Dickson	Johnson (Tallapoosa)	Payne
Albea	Edwards (Jefferson)	Kaul	Perry
Ashworth	Faulk	Kendall	Pruitt
Boyd	Franklin	Killough	Richardson
Bradford	Gilchrist	Lackey	Roberts
Brannan	Hain	Lee (Barbour)	Steagall
Brooks	Hall	Locke (Perry)	Stokes
Brown (Lee)	Haltom	McClendon	Summerlin
Cornett	Hardy	McKay	Taylor
Cox	Hare	McNider	Thomas
Crook	Harvey	Martin	Windle
Davis	Holliman	Nettles	Wood

—52

And the motion of Mr. Pruitt to reconsider the vote by which the House refused to pass the bill, H. 473, over the veto of the Governor, was adopted.

Yeas 55; Nays 12.

**Yeas:**

Mr. Speaker	DeSear	Jenkins	Oakley
Adams	Dickson	Johnson (Tallapoosa)	Payne
Albea	Edwards (Jefferson)	Kaul	Perry
Ashworth	Faulk	Kendall	Pruitt
Boyd	Franklin	Killough	Richardson
Bradford	Gilchrist	Lackey	Roberts
Brannan	Hain	Lee (Barbour)	Steagall
Brooks	Hall	Locke (Perry)	Stokes
Brown (Lee)	Haltom	Love	Summerlin
Callahan	Hardy	McClendon	Taylor
Cornett	Hare	McKay	Thomas
Cox	Harvey	McNider	Windle
Crook	Holliman	Martin	Wood
Davis	Huddleston	Nettles	

—55

**Nays:**

Messrs.	Gregory	Hodges	Shumate
Brassell	Hanby	Nice	Stembridge
Broadfoot	Hawkins	Oden	Vacca
Dement			

—12

On motion of Mr. Pruitt, further consideration of the bill, H. 473, was postponed until the next legislative day.

**MOTION ADOPTED**

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 867, was adopted.

And the bill:

H. 867. To make an appropriation for the use of the Agricultural Center Board in the purchase of certain equipment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

**Yeas:**

Mr. Speaker	Dawkins	Hodges	Mathison
Adams	Dement	Holliman	Nice
Albea	DeSear	Huddleston	Payne
Ashworth	Dickson	Johnson (Elmore)	Ramey
Boyd	Edwards (Jefferson)	Johnson (Tallapoosa)	Shumate
Bradford	Faulk	Kelly	Speaks
Brannan	Franklin	Kendall	Steagall
Brassell	Gilchrist	Killough	Stembridge
Brewer	Gregory	Lackey	Stokes
Broadfoot	Grouby	Law	Summerlin
Brooks	Hain	Lee (Barbour)	Taylor
Brown (Lamar)	Hall	Locke (Perry)	Thomas
Brown (Lee)	Haltom	Love	Tyson
Callahan	Hardy	McClendon	Vacca
Cornett	Hare	McKay	Ward
Cox	Harvey	McNider	Windle
Crook	Hawkins	Martin	Wood

—68

**MOTION ADOPTED**

The motion of Mr. Kendall to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 834, was adopted.

And the bill:

H. 834. To authorize and empower the director of the highway department to issue special permits for the movement of certain oversized vehicles over the public highways of the State.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

**Yeas:**

Mr. Speaker	Albea	Boyd	Brannan
Adams	Ashworth	Bradford	Brassell

Brewer	Gilchrist	Killough	Ramey
Broadfoot	Gregory	Lackey	Reynolds
Brown (Lamar)	Hain	Law	Richardson
Brown (Lee)	Hall	Lee (Barbour)	Shumate
Burkhalter	Haltom	Lee (Lawrence)	Speaks
Callahan	Hardy	Locke (Perry)	Steagall
Cornett	Hare	McClendon	Stembridge
Cox	Harvey	McKay	Stokes
Crook	Hawkins	McNider	Summerlin
Davis	Hodges	Martin	Taylor
deGraffenried	Holliman	Mathison	Thomas
Dement	Jenkins	Nolen	Tyson
DeSear	Johnson (Elmore)	Oakley	Vacca
Edwards (Escambia)	Johnson (Tallapoosa)	Oden	Ward
Faulk	Kaul	Payne	Windle
Ferrell	Kelly	Perry	Wood
Franklin	Kendall	Pirkle	

—75

## MOTION ADOPTED

The motion of Mr. Nice to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 726, was adopted.

## And the bill:

H. 726. Authorizing, directing and requiring every city and county board of education, the state board of education, and the governing boards of the University of Alabama, the Alabama Polytechnic Institute and Alabama College to employ, upon application, certain retired teachers; providing for the duties and compensation of such teachers; providing for participation in the federal old age and survivors insurance program by such teachers; and making an appropriation out of the special educational trust fund for the purpose of reimbursing the appointing boards for the cost of employing such teachers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

## Yeas:

Mr. Speaker	Dement	Holliman	Nolen
Adams	DeSear	Huddleston	Oakley
Albea	Dickson	Jenkins	Oden
Ashworth	Edwards (Escambia)	Johnson (Elmore)	Payne
Bassett	Edwards (Jefferson)	Johnson (Tallapoosa)	Perry
Boyd	Faulk	Kaul	Pirkle
Bradford	Franklin	Kelly	Ramey
Brewer	Gilchrist	Lackey	Reynolds
Broadfoot	Gregory	Law	Richardson
Brown (Lamar)	Grouby	Lee (Barbour)	Speaks
Brown (Lee)	Hain	Lee (Lawrence)	Stembridge
Burkhalter	Hall	Locke (Perry)	Stokes
Callahan	Haltom	McClendon	Summerlin
Cornett	Hanby	McKay	Thomas
Cox	Hardy	McNider	Tyson
Crook	Hare	Mathison	Vacca
Davis	Harvey	Nettles	Ward
Dawkins	Hawkins	Nice	Windle
deGraffenried	Hodges		

—74

## MOTION ADOPTED

The motion of Mr. Brown (Lee) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 555, was adopted.

And the bill:

H. 555. To provide for the organization, regulation, continuance and dissolution of corporations not for profit; to confer and limit their powers, rights and privileges and to impose their duties, obligations and responsibilities and; to provide penalties for the unauthorized assumption of corporate powers by all persons.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

## Yeas:

Mr. Speaker	DeSear	Jenkins	Payne
Adams	Dickson	Johnson (Elmore)	Pruitt
Albea	Edwards (Escambia)	Johnson (Tallahpoosa)	Ramey
Ashworth	Edwards (Jefferson)	Kendall	Richardson
Bassett	Faulk	Lackey	Speaks
Boyd	Ferrell	Lee (Barbour)	Stembridge
Bradford	Gregory	Locke (Perry)	Stokes
Brassell	Hain	McClendon	Summerlin
Brown (Lee)	Hall	McKay	Taylor
Burkhalter	Haltom	McNider	Thomas
Callahan	Hanby	Martin	Tyson
Cornett	Hardy	Mathison	Vacca
Crook	Harrison	Nolen	Ward
Davis	Hawkins	Oakley	Windle
deGraffenried	Hodges	Oden	Wood
Dement	Holliman		

—62

## MOTION ADOPTED

The motion of Mr. Haltom to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 427, was adopted.

And the bill:

H. 427 (with amendment). To amend Sections 661 and 669 of Title 7, Code of Alabama, 1940, which relate to exemption of homesteads from administration and payment of debts.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

## WAYS AND MEANS COMMITTEE AMENDMENT OF H. B. 427

Strike out Section 661 (b) and insert in lieu thereof the following:

(b) The homestead with the improvements and appurtenances not exceeding in value six thousand dollars (\$6,000) and in area one hundred sixty (160) acres or such other property as may be exempt in lieu thereof pursuant to Section 662 of this title, of any resident of this

State who by will devised such homestead or other property to his widow, upon his death shall be exempt from administration and the payment of debts in favor of such widow, alone, even though the testator leaves surviving him a minor child or children, and such homestead shall vest in accordance with the terms of the will. Provided further that if there are no claims or debts of the decedent, or if the remainder of his estate is sufficient to pay all debts and claims against the estate, or if the remainder of the estate is insufficient to pay all claims against the estate and the widow shall pay the remaining unsatisfied claims the homestead, regardless of its value, shall vest in the widow pursuant to the terms of the will; provided further that when such homestead as herein described is devised by will to the widow, and the widow dis-sents from the will, the homestead rights of the widow and minor child or children, if any, shall be as provided in Section 661 (a). No homestead shall vest pursuant to this section which exceeds 160 acres in area.

And the amendment was adopted.

Yeas 64; Nays 0.

**Yeas:**

Mr. Speaker	Dawkins	Hodges	Oakley
Adams	deGraffenried	Holliman	Oden
Albea	Dement	Huddleston	Payne
Bassett	Dickson	Hunt	Perry
Boyd	Edwards (Escambia)	Johnson (Elmore)	Pirkle
Bradford	Edwards (Jefferson)	Johnson (Tallapoosa)	Ramey
Brassell	Ferrell	Kaul	Reynolds
Brewer	Franklin	Lackey	Richardson
Broadfoot	Gilchrist	Lee (Barbour)	Speaks
Brown (Lamar)	Gregory	Lee (Lawrence)	Stembridge
Burkhalter	Grouby	Locke (Perry)	Stokes
Callahan	Hall	McNider	Taylor
Cornett	Haltom	Martin	Thomas
Cox	Hanby	Mathison	Vacca
Crook	Harrison	Nettles	Ward
Davis	Hawkins	Nolen	Windle

—64

And said bill, H. 427, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

**Yeas:**

Mr. Speaker	Cornett	Goodwyn	Johnson (Tallapoosa)
Adams	Cox	Hain	Kaul
Albea	Crook	Hall	Kendall
Ashworth	Davis	Haltom	Killough
Bassett	Dawkins	Hanby	Lackey
Boyd	deGraffenried	Hardy	Lee (Barbour)
Bradford	Dement	Harrison	Lee (Lawrence)
Brassell	DeSear	Hawkins	Locke (Perry)
Brewer	Dickson	Hodges	McClendon
Broadfoot	Edwards (Escambia)	Holliman	McKay
Brown (Lamar)	Edwards (Jefferson)	Huddleston	McNider
Brown (Lee)	Ferrell	Hunt	Martin
Burkhalter	Franklin	Jenkins	Mathison
Callahan	Gilchrist	Johnson (Elmore)	Nettles

Nolen	Pirkle	Speaks	Thomas
Oakley	Pruitt	Stembridge	Vacca
Oden	Ramey	Stokes	Ward
Payne	Reynolds	Taylor	Windle
Perry	Richardson		

—74

## MOTION ADOPTED

The motion of Mr. Oden to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 339, was adopted.

And the bill:

H. 339. To amend Section 363 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to authorize specifically any municipality in the state to construct, purchase, operate, maintain, enlarge, extend and improve a water supply plant and system, or any part or parts thereof, whether located within or without or partly within and partly without the corporate limits of such municipality, to authorize the delivery and sale of water therefrom, and to provide that any municipality in the state may lawfully expend funds for any actions authorized to be taken by it in said section.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

## Yeas:

Mr. Speaker	deGraffenried	Hunt	Oakley
Adams	Dement	Jenkins	Oden
Albea	DeSear	Johnson (Elmore)	Payne
Ashworth	Dickson	Johnson (Tallapoosa)	Perry
Bassett	Edwards (Escambia)	Kaul	Pirkle
Boyd	Edwards (Jefferson)	Kendall	Ramey
Bradford	Faulk	Killough	Reynolds
Brassell	Ferrell	Lackey	Richardson
Brewer	Franklin	Law	Speaks
Broadfoot	Gilchrist	McClendon	Steagall
Brown (Lamar)	Gregory	McKay	Stembridge
Brown (Lee)	Grouby	McNider	Stokes
Burkhalter	Hall	Martin	Taylor
Callahan	Haltom	Mathison	Thomas
Cox	Hanby	Meeks	Vacca
Crook	Harrison	Nice	Ward
Davis	Hodges	Nolen	Windle
Dawkins			

—69

## MOTION ADOPTED

The motion of Mr. Ward to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 820, was adopted.

And the bill:

H. 820. To amend Section 582 of Title 51, Code of Alabama (1940) which relates to the license fee for restaurants, cafes, cafeterias, etc.

Was taken up.



Mr. Ward offered the following amendment to the bill, H. 820:

AMENDMENT OF H. B. 820

Strike out the last sentence of Section 1 and insert in lieu thereof the following:

Provided that the provisions hereof shall not apply to restaurants, cafes, cafeterias or lunch counters operated in connection with, by or as a part of any school, college or university, nor to any boarding house or other establishment which serves meals to college students by the week or by the month.

And the amendment was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Adams	Edwards (Jefferson)	Kaul	Oakley
Albea	Faulk	Kendall	Oden
Ashworth	Ferrell	Killough	Payne
Bassett	Franklin	Lackey	Perry
Boyd	Gilchrist	Law	Pirkle
Bradford	Gregory	Lee (Barbour)	Ramey
Brassell	Grouby	Lee (Lawrence)	Reynolds
Brewer	Hain	Love	Simon
Broadfoot	Hall	McClendon	Speaks
Brown (Lamar)	Haltom	McKay	Steagall
Burkhalter	Hanby	McNider	Stembridge
Callahan	Hardy	Martin	Stokes
Crook	Harrison	Mathison	Taylor
Davis	Hodges	Meeks	Thomas
deGraffenried	Hunt	Nettles	Ward
Dement	Johnson (Elmore)	Nice	Windle
Dickson			

—69

And said bill, H. 820, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	DeSear	Hunt	Oakley
Adams	Dickson	Jenkins	Oden
Albea	Edwards (Escambia)	Johnson (Elmore)	Perry
Ashworth	Edwards (Jefferson)	Johnson (Tallapoosa)	Pirkle
Bassett	Faulk	Kaul	Pruitt
Bradford	Ferrell	Kendall	Ramey
Brassell	Franklin	Killough	Reynolds
Brewer	Gilchrist	Lackey	Simon
Broadfoot	Gregory	Law	Speaks
Brown (Lamar)	Hain	Lee (Barbour)	Steagall
Burkhalter	Hall	Lee (Lawrence)	Stembridge
Callahan	Haltom	Love	Stokes
Crook	Hanby	McNider	Taylor
Davis	Hardy	Martin	Thomas
Dawkins	Harrison	Mathison	Tyson
deGraffenried	Hodges	Meeks	Ward
Dement	Huddleston	Nolen	Windle

—68

## MOTION ADOPTED

The motion of Mr. Martin to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 43, was adopted.

And the bill:

H. 43. To provide further for the distribution of the proceeds of certain state and county licenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 2.

## Yeas:

Mr. Speaker	Dickson	Jenkins	Oden
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Payne
Albea	Edwards (Jefferson)	Kaul	Perry
Ashworth	Faulk	Kendall	Pirkle
Bassett	Ferrell	Lackey	Pruitt
Bradford	Franklin	Locke (Perry)	Ramey
Brassell	Gregory	Love	Reynolds
Brewer	Grouby	McClendon	Richardson
Brown (Lamar)	Hain	McKay	Shumate
Burkhalter	Hall	McNider	Simon
Callahan	Haltom	Martin	Speaks
Cox	Hardy	Mathison	Steagall
Crook	Harrison	Meeks	Stembridge
Davis	Harvey	Nettles	Ward
deGraffenried	Hodges	Nolen	Windle
Dement	Hunt	Oakley	

—63

Nays: Messrs. Broadfoot and Dawkins.

—2

## MOTION ADOPTED

The motion of Mr. deGraffenried to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 231, was adopted.

And the bill:

S. 231. To make an appropriation of ten thousand dollars to the Military Department for the purpose of removing and preserving certain World War II selective service records.

Was read a third time at length and passed.

Yeas 75; Nays 0.

## Yeas:

Mr. Speaker	Broadfoot	deGraffenried	Gilchrist
Adams	Brown (Lamar)	Dement	Gregory
Albea	Burkhalter	DeSear	Hall
Ashworth	Callahan	Dickson	Haltom
Bassett	Cornett	Edwards (Escambia)	Hardy
Boyd	Cox	Edwards (Jefferson)	Hare
Brannan	Crook	Faulk	Harrison
Brassell	Davis	Ferrell	Harvey
Brewer	Dawkins	Franklin	Hodges

Huddleston	Law	Nice	Speaks
Hunt	Lee (Barbour)	Nolen	Steagall
Jenkins	Lee (Lawrence)	Oden	Stembridge
Johnson (Elmore)	Locke (Perry)	Payne	Stokes
Johnson (Tallapoosa)	Love	Perry	Taylor
Kaul	McClendon	Pruitt	Thomas
Kelly	McKay	Ramey	Tyson
Kendall	McNider	Reynolds	Ward
Killough	Martin	Richardson	Windle
Lackey	Mathison	Shumate	

—75

## MOTION ADOPTED

The motion of Mr. Johnson (Tallapoosa) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 803, was adopted.

And the bill:

H. 803. To amend further Section 15 of Title 30, Code of Alabama (1940), as amended, which relates to the remuneration of the clerk of the jury commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

## Yeas:

Mr. Speaker	Davis	Harrison	Mathison
Adams	Dawkins	Hodges	Nice
Albea	deGraffenried	Huddleston	Nolen
Ashworth	Dement	Hunt	Oden
Bassett	DeSear	Johnson (Elmore)	Payne
Boyd	Edwards (Escambia)	Johnson (Tallapoosa)	Pruitt
Bradford	Edwards (Jefferson)	Kelly	Ramey
Brannan	Faulk	Kendall	Reynolds
Brassell	Ferrell	Killough	Richardson
Brewer	Franklin	Lackey	Roberts
Broadfoot	Gilchrist	Law	Simon
Brown (Lamar)	Gregory	Lee (Lawrence)	Stembridge
Burkhalter	Hain	Love	Stokes
Callahan	Hall	McClendon	Taylor
Cornett	Haltom	McKay	Ward
Cox	Hardy	McNider	Wood
Crook	Hare	Martin	

—67

## MOTIONS ADOPTED

The motion of Mr. McKay to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 794, was adopted.

On motion of Mr. Perry, consideration of the bill, H. 794, was postponed until the next legislative day without losing its place on the Calendar.

Yeas 32; Nays 31.

## Yeas:

Messrs.	Ashworth	Boyd	Brewer
Albea	Bassett	Bradford	Broadfoot

Dawkins	Johnson (Tallapoosa)	Nice	Roberts
Edwards (Jefferson)	Kaul	Nolen	Steagall
Ferrell	Killough	Oakley	Stembridge
Gilchrist	McNider	Perry	Stokes
Haltom	Martin	Pruitt	Taylor
Hanby	Meeks	Richardson	Tyson
Hare			

—32

**Nays:**

Mr. Speaker	Cornett	Hain	Oden
Adams	Crook	Hardy	Payne
Brannan	Davis	Hodges	Reynolds
Brassell	deGraffenried	Huddleston	Shumate
Brown (Lamar)	Dement	Jenkins	Simon
Brown (Lee)	Franklin	Johnson (Elmore)	Speaks
Burkhalter	Goodwyn	McKay	Thomas
Callahan	Gregory	Nettles	

—31

**MOTION ADOPTED**

The motion of Mr. Hare to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 573, was adopted.

**And the bill:**

H. 573. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

**Yeas:**

Mr. Speaker	Crook	Hare	Martin
Adams	Davis	Harrison	Meeks
Albea	Dawkins	Harvey	Nice
Ashworth	deGraffenried	Hawkins	Nolen
Bassett	Dement	Hodges	Oakley
Boyd	Edwards (Escambia)	Huddleston	Oden
Bradford	Edwards (Jefferson)	Jenkins	Perry
Brannan	Ferrell	Kaul	Ramey
Brassell	Gilchrist	Lackey	Reynolds
Brewer	Goodwyn	Law	Simon
Broadfoot	Gregory	Lee (Barbour)	Speaks
Brown (Lamar)	Grouby	Love	Taylor
Brown (Lee)	Hall	McClendon	Thomas
Callahan	Haltom	McNider	Tyson
Cornett	Hanby		

—58

**MOTION ADOPTED**

The motion of Mr. Hare to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 577, was adopted.

**And the bill:**

H. 577. To amend Section 309 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' rights to insure risks under the Workmen's Compensation Law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 1.

**Yeas:**

Mr. Speaker	Cornett	Hare	Martin
Adams	Davis	Harrison	Meeks
Albea	Dawkins	Harvey	Nice
Ashworth	deGraffenried	Hawkins	Nolen
Bassett	Dement	Hodges	Perry
Boyd	Edwards (Escambia)	Huddleston	Pirkle
Bradford	Edwards (Jefferson)	Jenkins	Ramey
Brannan	Gilchrist	Kaul	Reynolds
Brassell	Goodwyn	Killough	Simon
Brewer	Gregory	Lackey	Speaks
Broadfoot	Hain	Lee (Barbour)	Taylor
Brown (Lamar)	Hall	McClendon	Thomas
Brown (Lee)	Haltom	McKay	Tyson
Callahan	Hanby	McNider	Ward

—56

Nays: Mr. Nettles.

—1

**MOTION ADOPTED**

The motion of Mr. Hare to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 576, was adopted.

And the bill:

H. 576. To amend Act No. 689 of the 1947 Legislature, entitled: "An Act to establish a special Trust Fund to be known as the Second Injury Trust Fund for the use and benefit of employees who suffer certain second injuries in the nature of permanent total disability, to require employers to pay into said Second Injury Trust Fund a lump sum certain upon the death of an employee covered by the Workmen's Compensation Law when there is no person entitled to workmen's compensation, to provide for the escheat to said Second Injury Trust Fund of judgments under the Employer's Liability Act if there is no person to whom the judgment may be paid, to authorize the Director of Industrial Relations to act as Trustee for said Fund, to authorize the State Treasury to act as Custodian of said Fund with power of investment and reinvestment of monies paid into said Fund, to authorize payments to be made therefrom for compensation for certain second injuries, and to provide a method for adjudicating claims made against the Trustee of said Fund."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

**Yeas:**

Mr. Speaker	Bassett	Brassell	Brown (Lee)
Adams	Boyd	Brewer	Callahan
Albea	Bradford	Broadfoot	Cornett
Ashworth	Brannan	Brown (Lamar)	Crook

Davis	Hall	Johnson (Tallapoosa)	Nettles
Dawkins	Haltom	Kaul	Nice
deGraffenried	Hanby	Kendall	Nolen
Dement	Hare	Killough	Oden
DeSear	Harrison	Lackey	Perry
Dickson	Harvey	Lee (Barbour)	Roberts
Edwards (Escambia)	Hawkins	McLendon	Simon
Edwards (Escambia)	Hodges	McKay	Speaks
Gilchrist	Huddleston	McNider	Taylor
Goodwyn	Jenkins	Martin	Tyson
Gregory	Johnson (Elmore)	Meeks	Ward
Grouby			

—59

## MOTION ADOPTED

The motion of Mr. Hare to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 575, was adopted.

And the bill:

H. 575. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

**Yeas:**

Mr. Speaker	Crook	Hare	Martin
Adams	Davis	Harrison	Meeks
Albea	Dawkins	Harvey	Nettles
Ashworth	deGraffenried	Hawkins	Nice
Bassett	Dement	Hodges	Nolen
Boyd	Edwards (Escambia)	Huddleston	Oden
Bradford	Edwards (Jefferson)	Jenkins	Perry
Brannan	Gilchrist	Johnson (Tallapoosa)	Ramey
Brassell	Goodwyn	Kaul	Roberts
Brewer	Gregory	Kendall	Simon
Broadfoot	Grouby	Killough	Speaks
Brown (Lamar)	Hain	Lackey	Taylor
Brown (Lee)	Hall	Lee (Barbour)	Thomas
Callahan	Haltom	McClendon	Tyson
Cornett	Hanby	McNider	Ward

—60

## MOTION ADOPTED

The motion of Mr. Hare to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 574, was adopted.

And the bill:

H. 574. To amend Section 279, Title 26, Code of Alabama 1940, as amended, which deals with the schedule of compensation under the Workmen's Compensation Law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

**Yeas:**

Mr. Speaker	Cornett	Hanby	McClendon
Adams	Crook	Hare	Martin
Albea	Davis	Harrison	Meeks
Ashworth	Dawkins	Harvey	Nice
Bassett	deGraffenried	Hawkins	Nolen
Boyd	Dement	Hodges	Oden
Bradford	Edwards (Escambia)	Huddleston	Perry
Brannan	Edwards (Jefferson)	Jenkins	Ramey
Brassell	Gilchrist	Johnson (Elmore)	Simon
Brewer	Goodwyn	Johnson (Tallapoosa)	Speaks
Broadfoot	Gregory	Kaul	Taylor
Brown (Lamar)	Grouby	Kendall	Thomas
Brown (Lee)	Hall	Lackey	Tyson
Callahan	Haltom	Lee (Barbour)	Ward

—56

**MOTION ADOPTED**

The motion of Mr. Hare to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 572, was adopted.

And the bill:

H. 572. To amend Section 213 of Title 26, Code of Alabama 1940, as amended, the same relating to benefit eligibility conditions for unemployment compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

**Yeas:**

Mr. Speaker	Crook	Harrison	Martin
Adams	Davis	Harvey	Meeks
Albea	Dawkins	Hawkins	Nice
Ashworth	deGraffenried	Hodges	Nolen
Bassett	Dement	Huddleston	Oden
Boyd	Edwards (Escambia)	Jenkins	Perry
Brannan	Edwards (Jefferson)	Johnson (Elmore)	Ramey
Brassell	Goodwyn	Johnson (Tallapoosa)	Roberts
Brewer	Gregory	Kaul	Simon
Broadfoot	Grouby	Kendall	Speaks
Brown (Lamar)	Hall	Killough	Taylor
Brown (Lee)	Haltom	Lackey	Tyson
Callahan	Hanby	Lee (Barbour)	Ward
Cornett	Hare	McClendon	

—55

**MOTION ADOPTED**

The motion of Mr. Hare to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 571, was adopted.

And the bill:

H. 571. To amend Section 194 of Title 26, Code of Alabama 1940, as amended, the same pertaining to the definition of a "Benefit Year."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

**Yeas:**

Messrs.	Dawkins	Harrison	Meeks
Adams	deGraffenried	Harvey	Nice
Albea	Dement	Hawkins	Nolen
Bassett	Edwards (Escambia)	Hodges	Oden
Boyd	Edwards (Jefferson)	Huddleston	Perry
Bradford	Ferrell	Jenkins	Ramey
Brannan	Gilchrist	Johnson (Elmore)	Roberts
Brassell	Goodwyn	Kaul	Shumate
Brewer	Gregory	Kendall	Simon
Broadfoot	Grouby	Killough	Speaks
Brown (Lamar)	Hain	Lackey	Taylor
Brown (Lee)	Hall	Lee (Barbour)	Thomas
Callahan	Haltom	McClendon	Tyson
Cornett	Hanby	Martin	Ward
Davis	Hare		

—57

**MOTION ADOPTED**

The motion of Mr. Hare to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 570, was adopted.

**And the bill:**

H. 570. To amend Section 292 of Title 26, Code of Alabama 1940, as amended, the same relating to the waiting period in temporary disability claims under the workmen's compensation law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

**Yeas:**

Messrs.	Dawkins	Huddleston	Payne
Adams	deGraffenried	Jenkins	Perry
Albea	Dement	Johnson (Elmore)	Pirkle
Bassett	Edwards (Escambia)	Kaul	Pruitt
Boyd	Edwards (Jefferson)	Kendall	Ramey
Bradford	Gilchrist	Killough	Roberts
Brannan	Goodwyn	Lackey	Shumate
Brassell	Gregory	Lee (Barbour)	Simon
Brewer	Hall	Love	Speaks
Broadfoot	Haltom	McClendon	Stembridge
Brown (Lamar)	Hanby	McNider	Taylor
Brown (Lee)	Hare	Martin	Thomas
Callahan	Harrison	Meeks	Tyson
Cornett	Harvey	Nice	Vacca
Crook	Hawkins	Nolen	Ward
Davis	Hodges	Oden	

—62

**MOTION ADOPTED**

The motion of Mr. Hare to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 569, was adopted.



And the bill:

H. 569. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

**Yeas:**

Messrs.	Dawkins	Hawkins	Oden
Adams	deGraffenried	Hodges	Payne
Albea	Dement	Jenkins	Perry
Ashworth	Dickson	Johnson (Elmore)	Pirkle
Bassett	Edwards (Escambia)	Kaul	Pruitt
Boyd	Edwards (Jefferson)	Kendall	Ramey
Bradford	Gilchrist	Killough	Shumate
Brannan	Goodwyn	Lackey	Simon
Brassell	Gregory	Law	Speaks
Brewer	Grouby	Lee (Barbour)	Steagall
Broadfoot	Hall	Love	Stembridge
Brown (Lamar)	Haltom	McClendon	Taylor
Brown (Lee)	Hanby	McNider	Thomas
Callahan	Hare	Meeks	Tyson
Cornett	Harrison	Nice	Vacca
Crook	Harvey	Nolen	Ward
Davis			

—64

**MOTION ADOPTED**

The motion of Mr. Hare to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 568, was adopted.

And the bill:

H. 568. To amend Sections 207, Title 26, Code of Alabama 1940, as amended, the same relating to weekly benefit amount, and 208, Title 26, Code of Alabama 1940, the same relating to weekly benefit for unemployment, both relating to unemployment compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

**Yeas:**

Messrs.	Brown (Lee)	Gilchrist	Hodges
Adams	Callahan	Goodwyn	Holliman
Albea	Cornett	Gregory	Huddleston
Ashworth	Crook	Grouby	Jenkins
Bassett	Davis	Hain	Johnson (Elmore)
Boyd	Dawkins	Hall	Kaul
Bradford	deGraffenried	Haltom	Lackey
Brannan	Dement	Hanby	Law
Brassell	Dickson	Hare	Lee (Barbour)
Brewer	Edwards (Escambia)	Harrison	Love
Broadfoot	Edwards (Jefferson)	Harvey	McClendon
Brown (Lamar)	Ferrell	Hawkins	McNider

Martin	Payne	Richardson	Stembridge
Meeks	Perry	Shumate	Taylor
Nice	Pirkle	Simon	Thomas
Nolen	Pruitt	Speaks	Tyson
Oden	Ramey	Steagall	Vacca

—67

## MOTION ADOPTED

The motion of Mr. Davis to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 355, was adopted.

Yeas 58; Nays 5.

## Yeas:

Messrs.	Edwards (Jefferson)	Kaul	Pirkle
Bassett	Goodwyn	Kelly	Pruitt
Boyd	Gregory	Kendall	Ramey
Bradford	Grouby	Killough	Richardson
Brannan	Hain	Lackey	Roberts
Brassell	Hall	Lee (Barbour)	Shumate
Brown (Lamar)	Haltom	McNider	Simon
Cornett	Hardy	Martin	Steagall
Crook	Hare	Meeks	Stembridge
Davis	Harrison	Nettles	Taylor
Dawkins	Harvey	Nice	Thomas
deGraffenried	Hawkins	Nolen	Tyson
Dement	Hodges	Oakley	Vacca
Dickson	Holliman	Payne	Windle
Edwards (Escambia)	Johnson (Elmore)	Perry	

—58

## Nays:

Messrs.	Albea	DeSear	Faulk
Adams	Ashworth		

—5

And the bill:

H. 355 (with substitute). To regulate further the registration of certain motor vehicles: prohibiting the registration of trucks, semi-trailer trucks, road tractors, or other like motor vehicles used for hire or for commercial purposes which are owned by non-residents, except as otherwise provided in Section 707 of Title 51, of the 1940 Code; requiring every person, firm, or corporation who applies for the registration of a truck, semi-trailer truck, or road tractor, or other like motor vehicle used for hire or commercial purposes to state under oath his name and address, and whether the vehicle is owned by a resident or by a non-resident; and making it a felony for any person to make a false statement in applying for the registration of a motor vehicle pursuant to this Act.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

## JUDICIARY COMMITTEE SUBSTITUTE FOR H. B. NO. 355

A BILL  
TO BE ENTITLED  
AN ACT

To regulate further the registration of certain motor vehicles: pro-

hibiting the registration of trucks, semi-trailer trucks, road tractors, or other like motor vehicles used for hire or for commercial purposes which are owned by non-residents, except as otherwise provided in Section 707 of Title 51, of the 1940 Code; requiring every person, firm, or corporation who applies for the registration of a truck, semi-trailer truck, or road tractor, or other like motor vehicle used for hire or commercial purposes to state under oath his name and address, and whether the vehicle is owned by a resident or by a non-resident; and making it a felony for any person to make a false statement in applying for the registration of a motor vehicle pursuant to this Act.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. No truck, semi-trailer truck, or road tractor, or other like motor vehicle used for hire or for commercial purposes which is owned by a non-resident of this State shall be registered in this State except as may be otherwise provided in or authorized or required by Section 707 of Title 51 of the Code of Alabama (1940). Every person, firm, or corporation who applies for the registration of a truck, semi-trailer truck, road tractor, or other like motor vehicle used for hire or for commercial purposes shall be required by the judge of probate or commissioner of licenses to state in writing under oath his name and address, and whether the vehicle is owned by a resident or by a non-resident of this State. Any person who knowingly makes a false statement in applying for the registration of a motor vehicle pursuant to this Act is guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 60; Nays 0.

**Yeas:**

Messrs.	Edwards (Escambia)	Johnson (Elmore)	Perry
Adams	Edwards (Jefferson)	Kaul	Pirkle
Bassett	Ferrell	Kelly	Pruitt
Boyd	Gilchrist	Kendall	Ramey
Bradford	Goodwyn	Lackey	Roberts
Brannan	Gregory	Lee (Barbour)	Shumate
Brassell	Grouby	Love	Simon
Brewer	Hain	McNider	Speaks
Broadfoot	Hall	Martin	Steagall
Brown (Lamar)	Haltom	Meeks	Stembridge
Cornett	Hardy	Nettles	Taylor
Crook	Hare	Nice	Thomas
Davis	Harrison	Nolen	Tyson
Dawkins	Harvey	Oakley	Vacca
deGraffenried	Hodges	Payne	Windle
Dement			

—60

Mr. Davis offered the following amendment to the bill, H. 355, as amended:

**AMENDMENT TO H. B. NO. 355 AS AMENDED**

Amend title of said bill to read as follows: "To regulate further the registration of certain motor vehicles: prohibiting the registration of

trucks, semi-trailer trucks, road tractors, or other like motor vehicles used for hire or for commercial purposes which are owned by non-residents, except as otherwise provided in Section 707 of Title 51, of the 1940 Code; requiring every person, firm, or corporation who applies for the registration of a truck, semi-trailer truck, or road tractor, or other like motor vehicle used for hire or commercial purposes to state under oath his name and address, and whether the vehicle is owned by a resident or by a non-resident; and making it a misdemeanor for any person to make a false statement in applying for the registration of a motor vehicle pursuant to this Act."

And the amendment was adopted.

Yeas 58; Nays 0.

**Yeas:**

Messrs.	deGraffenried	Johnson (Elmore)	Perry
Adams	Dement	Kaul	Pirkle
Bassett	Edwards (Escambia)	Kelly	Pruitt
Boyd	Edwards (Jefferson)	Kendall	Ramey
Bradford	Ferrell	Lackey	Richardson
Brassell	Gilchrist	Lee (Barbour)	Roberts
Brewer	Goodwyn	Love	Shumate
Broadfoot	Gregory	McNider	Simon
Brown (Lamar)	Hall	Martin	Steagall
Brown (Lee)	Haltom	Meeks	Stembridge
Callahan	Hardy	Nettles	Taylor
Cornett	Hare	Nice	Thomas
Crook	Harrison	Nolen	Vacca
Davis	Harvey	Oakley	Windle
Dawkins	Hodges	Payne	

—58

And said bill, H. 355, as thus amended, was read a third time at length and passed.

Yeas 60; Nays 0.

**Yeas:**

Messrs.	Edwards (Jefferson)	Huddleston	Payne
Adams	Ferrell	Johnson (Elmore)	Perry
Bassett	Gilchrist	Kaul	Pirkle
Boyd	Goodwyn	Kelly	Pruitt
Bradford	Gregory	Kendall	Ramey
Brassell	Grouby	Lackey	Richardson
Brewer	Hall	Lee (Barbour)	Roberts
Broadfoot	Haltom	Love	Shumate
Brown (Lamar)	Hardy	McClendon	Simon
Brown (Lee)	Hare	McNider	Speaks
Crook	Harrison	Martin	Stembridge
Davis	Harvey	Meeks	Taylor
Dawkins	Hawkins	Nettles	Thomas
deGraffenried	Hodges	Nolen	Vacca
Dement	Holliman	Oakley	Windle
Edwards (Escambia)			

—60

**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 155. To declare the necessity for the construction of modern tunnel vehicular facilities in certain congested areas of the state in order to relieve hazardous, unsafe and crowded traffic conditions and to facilitate vehicular traffic, and to authorize the incorporation and organization in each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, of one or more tunnel authorities as public corporations for the purpose of acquiring, constructing, owning, operating, extending and improving tunnel vehicular facilities in the county in which such authority shall be organized; to provide for the approval, execution, filing and recording of the certificate of incorporation of each such authority; to provide for the composition of the board of directors of each such authority to exercise its powers and direct its affairs; to grant to each such authority certain powers, including the power of eminent domain with respect to any property deemed by it to be reasonably necessary for such tunnel facilities, including property already devoted to public use; to provide for and define the powers of each such authority with respect to new and existing public roads and access roads; to provide for and authorize the grant to each such authority of certain rights and powers with respect to public roads by the state, the highway department, certain counties and municipalities and other political subdivisions of the state; to grant to each such authority certain powers of entry for the purpose of making surveys; to authorize each such authority to require the relocation or removal of public utility facilities in certain instances; to authorize each such authority to fix, collect and alter tolls and other charges for the use of any tunnel project owned by it; to exempt each such authority from regulation and supervision by the Public Service Commission and all other regulatory bodies or agencies of the state or any political subdivision thereof; to authorize each such authority to make rules and regulations for the use of each tunnel project owned by it and to provide for the punishment of violations of such rules and regulations; to provide that to the extent that such rules and regulations are inconsistent with laws, ordinances or regulations of the state, the state highway department or any local government unit, such rules and regulations of such authority shall be controlling; to authorize the borrowing of money by each such authority and in evidence thereof the issuance of its revenue bonds payable solely from tolls and other revenues and the proceeds derived from said bonds; to provide that such bonds shall not constitute a debt, obligation or liability of the state, any county, municipality or other political subdivision of the state other than the issuing authority; to require public sale of such bonds; to provide that all such bonds shall constitute negotiable instruments and shall be eligible for investment of trust funds; to authorize each such authority to refund the principal of and the interest on any of its bonds by issuance of its refunding revenue bonds; to provide for the manner of disposition of proceeds from the sale of bonds issued by each such authority; to authorize each such authority to execute trust indentures and to make certain covenants and agreements as security for any such bonds; to provide that any pledge of tolls and other revenues for the benefit of such bonds shall be valid against all parties having claims of any kind against the authority making such pledge from and after the time a statement of such pledge is filed for record in the office of the judge of probate of the county in which the authority making such pledge is organized; to specify certain rights and remedies available to the holders of any such bonds; to exempt from all taxation in this state all property and income of each such authority and all bonds of each such authority and the income therefrom; to prescribe the conditions under which tunnel projects acquired and constructed by any such authority may be turned over to the state highway department free of tolls and the conditions under which any such authority shall be dissolved; to prohibit free use of any tunnel project except under certain conditions; to au-

thorize the state, the highway department, certain counties, municipalities and other agencies and political subdivisions of the state to grant, convey, lease and lend real property to any such authority; to prohibit the state, the highway department, certain authorities, counties and incorporated municipalities, and any other political subdivisions of the state from constructing a competing facility to any tunnel project constructed under the provisions of this act, except under certain conditions; to authorize certain counties, municipalities, and the highway department to expend moneys and services for the study of any tunnel project and to provide for reimbursement thereof out of the proceeds of bonds issued by the authority constructing such project; and to provide that the exercise of the powers granted in this act to each such authority constitute the performance of an essential governmental function.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Meeks the House concurred in and adopted the Senate amendment to the bill, H. 155, said Senate amendment being as follows:

#### AMENDMENT TO HOUSE BILL NO. 155

Amend Section 8 of House Bill No. 155 by changing clause (7) of the said Section 8 to read as follows:

"(7) to acquire, construct, own, enlarge, extend, improve, maintain, repair and operate one or more additional tunnel projects without regard to any change in the municipalities entitled to representation on the board under the provisions of subsection (b) of Section 6 of this act or in the municipality whose governing body is entitled to the appointment of a public member thereof that would have resulted had the additional tunnel project so acquired or constructed been the initial tunnel project constructed by the authority, provided that no such additional tunnel project shall be so acquired or constructed unless one of its underground entrances is within one and one-half miles of the tunnel project constructed pursuant to the power granted in the preceding clause (6) of this section;"

#### AMENDMENT TO HOUSE BILL NO. 155

Amend subsection (b) of Section 12 of House Bill No. 155 by changing the first sentence of said subsection to read as follows:

"(b) Violations of such rules and regulations shall be a misdemeanor, punishable by a fine of not less than \$10 nor more than \$500 and, at the discretion of the judge trying the case, also by sentence to hard labor for the county for a term not to exceed six months."

#### AMENDMENT TO HOUSE BILL NO. 155

Amend Section 12 of House Bill No. 155 by changing subsection (d) of said Section 12 to read as follows:

"(d) Any rules and regulations prescribed by the authority pursuant to the provisions of this Section 12 shall provide that any public police officer in the state, whether or not employed by the authority, shall, while in the performance of his official duties, be afforded ready access to all property under the jurisdiction of the authority and transit through any tunnel project owned by the authority without the payment of tolls."

## AMENDMENT TO HOUSE BILL NO. 155

Amend Section 23 of House Bill No. 155 by changing said Section 23 to read as follows:

"Section 23. Competing Facilities. The authority may, in any indenture or resolution authorizing the issuance of bonds, limit or restrict its right and power to construct additional tunnel projects that might substantially divert traffic from or compete substantially with another tunnel project or projects acquired and constructed or proposed to be acquired and constructed by the authority. As an inducement to the acquisition, construction or improvement of any tunnel project by the authority, or as an inducement to the purchase of bonds of the authority by the purchasers thereof, the county and any incorporated municipality in the county are hereby separately authorized and empowered to enter into contracts whereby they may limit or restrict their respective rights to acquire or construct any toll vehicular facilities that might substantially divert traffic from or compete substantially with any tunnel project or projects acquired and constructed or proposed to be acquired and constructed by the authority. Any such contract may extend for a period of time beyond the respective terms of office of the members of the governing body of the county or municipality authorizing its execution. In consideration of the county or any incorporated municipality in the county so limiting or restricting their respective rights to acquire or construct competing toll vehicular facilities, the authority is empowered to permit free use of any of its tunnel projects to, or to grant reduced tolls for the use of any of its tunnel projects by, such officers and employees of the county or such incorporated municipality as the authority may deem advisable."

## AMENDMENT TO HOUSE BILL NO. 155

Amend Section 3 of House Bill No. 155 by changing the last sentence of said Section 3 to read as follows:

"The formation of one or more authorities in the county shall not prevent the subsequent formation of another authority or authorities in the county."

## AMENDMENT TO HOUSE BILL NO. 155

Amend Section 21 of House Bill No. 155 by changing said section to read as follows:

"Section 21. Prohibition Against Free Use of Tunnel Project. Exceptions. Except as provided in subsection (d) of Section 12 of this act and in any contract entered into pursuant to the provisions of Section 23 of this act, the authority shall permit no free use of any tunnel project with respect to which there is an outstanding pledge of revenues for payment of bonds."

## AMENDMENT TO HOUSE BILL NO. 155

Amend the title of House Bill No. 155 by changing said title to read as follows:

"To declare the necessity for the construction of modern tunnel vehicular facilities in certain congested areas of the state in order to relieve hazardous, unsafe and crowded traffic conditions and to facilitate vehicular traffic, and to authorize the incorporation and organization in each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, of one or more tunnel authorities as public corporations for the purpose of acquiring, con-

structing, owning, operating, extending and improving tunnel vehicular facilities in the county in which such authority shall be organized; to provide for the approval, execution, filing and recording of the certificate of incorporation of each such authority; to provide for the composition of the board of directors of each such authority to exercise its powers and direct its affairs; to grant to each such authority certain powers, including the power of eminent domain with respect to any property deemed by it to be reasonably necessary for such tunnel facilities, including property already devoted to public use; to provide for and define the powers of each such authority with respect to new and existing public roads and access roads; to provide for and authorize the grant to each such authority of certain rights and powers with respect to public roads by the state, the highway department, certain counties and municipalities and other political subdivisions of the state; to grant to each such authority certain powers of entry for the purpose of making surveys; to authorize each such authority to require the relocation or removal of public utility facilities in certain instances; to authorize each such authority to fix, collect and alter tolls and other charges for the use of any tunnel project owned by it; to exempt each such authority from regulation and supervision by the Public Service Commission and all other regulatory bodies or agencies of the state or any political subdivision thereof; to authorize each such authority to make rules and regulations for the use of each tunnel project owned by it and to provide for the punishment of violations of such rules and regulations; to provide that to the extent that such rules and regulations are inconsistent with laws, ordinances or regulations of the state, the state highway department or any local government unit, such rules and regulations of such authority shall be controlling; to authorize the borrowing of money by each such authority and in evidence thereof the issuance of its revenue bonds payable solely from tolls and other revenues and the proceeds derived from said bonds; to provide that such bonds shall not constitute a debt, obligation or liability of the state, any county, municipality or other political subdivision of the state other than the issuing authority; to require public sale of such bonds; to provide that all such bonds shall constitute negotiable instruments and shall be eligible for the investment of trust funds; to authorize each such authority to refund the principal of and the interest on any of its bonds by issuance of its refunding revenue bonds; to provide for the manner of disposition of proceeds from the sale of bonds issued by each such authority; to authorize each such authority to execute trust indentures and to make certain covenants and agreements as security for any such bonds; to provide that any pledge of tolls and other revenues for the benefit of such bonds shall be valid against all parties having claims of any kind against the authority making such pledge from and after the time a statement of such pledge is filed for record in the office of the judge of probate of the county in which the authority making such pledge is organized; to specify certain rights and remedies available to the holders of any such bonds; to exempt from all taxation in this state all property and income of each such authority and all bonds of each such authority and the income therefrom; to prescribe the conditions under which tunnel projects acquired and constructed by any such authority may be turned over to the state highway department free of tolls and the conditions under which any such authority shall be dissolved; to prohibit free use of any tunnel project except under certain conditions or pursuant to certain contracts; to authorize the state, the highway department, certain counties, municipalities and other agencies and political subdivisions of the state to grant, convey, lease and lend real property to any such authority; to authorize certain counties and municipalities to enter into contracts limiting their respective rights to construct competing toll vehicular facilities; to authorize certain counties, municipalities, and the highway department



to expend moneys and services for the study of any tunnel project and to provide for reimbursement thereof out of the proceeds of bonds issued by the authority constructing such project; and to provide that the exercise of the powers granted in this act to each such authority constitute the performance of an essential governmental function."

Yeas 59; Nays 0.

**Yeas:**

Messrs.	Dawkins	Harvey	Meeks
Adams	deGraffenried	Hawkins	Nettles
Albea	Dement	Hodges	Nice
Ashworth	Dickson	Holliman	Nolen
Bassett	Edwards (Escambia)	Huddleston	Oakley
Boyd	Edwards (Jefferson)	Jenkins	Pruitt
Bradford	Faulk	Johnson (Elmore)	Richardson
Brassell	Ferrell	Kaul	Roberts
Brewer	Gilchrist	Kelly	Simon
Broadfoot	Goodwyn	Kendall	Speaks
Brown (Lamar)	Gregory	Lackey	Steagall
Brown (Lee)	Haltom	Love	Stembridge
Cornett	Hanby	McClendon	Taylor
Crook	Hare	McNider	Vacca
Davis	Harrison	Martin	Windle

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**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the Resolution:

S. J. R. 62. Relative to naming H. B. 296.

J. E. SPEIGHT,  
Secretary.

**CERTIFICATE OF CLERK**

To The House of Representatives:

I hereby certify that the House Bill hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:10 P.M. On August 9, 1955  
H. 101

R. T. GOODWYN, JR.,  
Clerk.

**ADJOURNMENT**

On motion of Mr. Lee (Barbour) the House adjourned until Friday, August 12, 1955, at ten o'clock A.M.

Yeas 47; Nays 20.

**Yeas:**

Messrs.	Bradford	DeSear	Gilchrist
Albea	Brassell	Dickson	Goodwyn
Ashworth	Brown (Lee)	Edwards (Jefferson)	Hain
Bassett	Cornett	Faulk	Hall
Boyd	Dement	Franklin	Hanby

Hardy	Law	Nolen	Solomon
Holliman	Lee (Barbour)	Oakley	Speaks
Jenkins	McClendon	Payne	Steagall
Johnson (Elmore)	McKay	Perry	Stembridge
Kaul	McNider	Pirkle	Thomas
Kendall	Mathison	Ramey	Vacca
Lackey	Nettles	Richardson	Windle

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**Nays:**

Messrs.	Davis	Harrison	Meeks
Adams	deGraffenried	Harvey	Nice
Brewer	Gregory	Hodges	Simon
Brown (Lamar)	Haltom	Kelly	Taylor
Callahan	Hare	Martin	Tyson
Crook			

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**THIRTIETH DAY**

House of Representatives  
Montgomery, Alabama  
Friday, August 12, 1955

The House met pursuant to adjournment.

**PRAYER**

The session was opened with prayer by the Reverend Murray E. Love, Minister, Capitol Heights Presbyterian Church, Montgomery, Alabama.

**ROLL CALL**

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Jefferson)	Kendall	Oakley
Adams	Faulk	Millough	Payne
Albea	Ferrell	Kirkham	Perry
Ashworth	Franklin	Lackey	Pirkle
Bassett	Gilchrist	Law	Ramey
Boyd	Goodwyn	Lee (Barbour)	Reynolds
Broadfoot	Gregory	Lee (Lawrence)	Richardson
Brewer	Grouby	Locke (Choctaw)	Roberts
Bradford	Hain	Locke (Perry)	Shumate
Brooks	Hall	Love	Simon
Brown (Lamar)	Haltom	McClendon	Solomon
Brown (Lee)	Hare	McKay	Speaks
Burkhalter	Harrison	McLendon	Steagall
Callahan	Harvey	McNider	Stembridge
Cornett	Hawkins	Martin	Stokes
Cox	Holliman	Mathews	Summerlin
Crook	Huddleston	Mathison	Taylor
Davis	Hunt	Meeks	Thomas
Dawkins	Jenkins	Molette	Tyson
deGraffenried	Johnson (Elmore)	Money	Vacca
Dement	Johnson (Tallapoosa)	Nettles	Ward
DeSear	Kaul	Nice	Windle
Dickson	Kelly	Nolen	Wood
Edwards (Escambia)			

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A quorum was present.

#### LEAVE OF ABSENCE

On motion of Mr. Money, leave of absence was granted to Mr. Gist because of illness in his family.

#### REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-ninth legislative day and finds the same to be correct.

RANKIN FITE,  
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the twenty-ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the twenty-ninth legislative day was approved.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit;

H. 110. To amend further Section 89 of Title 36, Code of Alabama (1940) which limits the size and weight of motor vehicles and loads.

Also:

H. 665. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$35,000.00 to the Department of Finance—Mail and Supply Room to be used as a revolving fund for the payment of telephone bills for the State departments, boards, bureaus and agencies using the State central telephone system in the City of Montgomery; to provide for the expenditures therefrom and the reimbursement thereto.

Also:

H.B. 155. To declare the necessity for the construction of modern tunnel vehicular facilities in certain congested areas of the state in order to relieve hazardous, unsafe and crowded traffic conditions and to facilitate vehicular traffic, and to authorize the incorporation and organization in each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, of one or more tunnel authorities as public corporations for the purpose of acquiring, constructing, owning, operating, extending and improving tunnel vehicular facilities in the county in which such authority shall be organized; to provide for the approval, execution, filing and recording of the certificate of incorporation of each such authority; to provide for the composition of the board of directors of each such authority to exercise its powers and direct its affairs; to grant to each such authority certain powers, including the power of eminent domain with respect to any property deemed by it to be reasonably necessary for such tunnel facilities, including property already devoted to public use; to provide for and define the powers of each such authority with respect to new and existing public roads and access roads; to provide for

and authorize the grant to each such authority of certain rights and powers with respect to public roads by the state, the highway department, certain counties and municipalities and other political subdivisions of the state; to grant to each such authority certain powers of entry for the purpose of making surveys; to authorize each such authority to require the relocation or removal of public utility facilities in certain instances; to authorize each such authority to fix, collect and alter tolls and other charges for the use of any tunnel project owned by it; to exempt each such authority from regulation and supervision by the Public Service Commission and all other regulatory bodies or agencies of the state or any political subdivision thereof; to authorize each such authority to make rules and regulations for the use of each tunnel project owned by it and to provide for the punishment of violations of such rules and regulations; to provide that to the extent that such rules and regulations are inconsistent with laws, ordinances or regulations of the state, the state highway department or any local government unit such rules and regulations of such authority shall be controlling; to authorize the borrowing of money by each such authority and in evidence thereof the issuance of its revenue bonds payable solely from tolls and other revenues and the proceeds derived from said bonds; to provide that such bonds shall not constitute a debt, obligation or liability of the state, any county, municipality or other political subdivision of the state other than the issuing authority; to require public sale of such bonds; to provide that all such bonds shall constitute negotiable instruments and shall be eligible for the investment of trust funds; to authorize each such authority to refund the principal of and the interest on any of its bonds by issuance of its refunding revenue bonds; to provide for the manner of disposition of proceeds from the sale of bonds issued by each such authority; to authorize each such authority to execute trust indentures and to make certain covenants and agreements as security for any such bonds; to provide that any pledge of tolls and other revenues for the benefit of such bonds shall be valid against all parties having claims of any kind against the authority making such pledge from and after the time a statement of such pledge is filed for record in the office of the judge of probate of the county in which the authority making such pledge is organized; to specify certain rights and remedies available to the holders of any such bonds; to exempt from all taxation in this state all property and income of each such authority and all bonds of each such authority and the income therefrom; to prescribe the conditions under which tunnel projects acquired and constructed by any such authority may be turned over to the state highway department free of tolls and the conditions under which any such authority shall be dissolved; to prohibit free use of any tunnel project except under certain conditions or pursuant to certain contracts; to authorize the state, the highway department, certain counties, municipalities and other agencies and political subdivisions of the state to grant, convey, lease and lend real property to any such authority; to authorize certain counties and municipalities to enter into contracts limiting their respective rights to construct competing toll vehicular facilities; to authorize certain counties, municipalities, and the highway department to expend moneys and services for the study of any tunnel project and to provide for reimbursement thereof out of the proceeds of bonds issued by the authority constructing such project; and to provide that the exercise of the powers granted in this act to each such authority constitute the performance of an essential governmental function.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

## SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H.B. 355. To regulate further the registration of certain motor vehicles: prohibiting the registration of trucks, semi-trailer trucks, road tractors, or other like motor vehicles used for hire or for commercial purposes which are owned by non-residents, except as otherwise provided in Section 707 of Title 51, of the 1940 Code; requiring every person, firm, or corporation who applies for the registration of a truck, semi-trailer truck, or road tractor, or other like motor vehicle used for hire or commercial purposes to state under oath his name and address, and whether the vehicle is owned by a resident or by a non-resident; and making it a misdemeanor for any person to make a false statement in applying for the registration of a motor vehicle pursuant to this Act.

RANKIN FITE,  
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 231. To make an appropriation of ten thousand dollars to the Military Department for the purpose of removing and preserving certain World War II selective service records.

J. E. SPEIGHT,  
Secretary.

## SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Resolution, your signature thereto is requested:

S.J.R. 62. Relative to naming H.B. 296.

J. E. SPEIGHT,  
Secretary.

## SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 87. To raise revenue: levying an additional privilege license tax upon every person, firm, or corporation who engages in the business of renting rooms, lodgings, or accommodations to transients; providing for the collection and enforcement of the tax, and for the distribution of the revenue produced thereby.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 683. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to levy and collect a special tax on incomes, fixing the rates at which the tax may be levied, and dedicating the proceeds thereof for educational purposes.

J. E. SPEIGHT,  
Secretary.

## SENATE MESSAGE

On motion of Mr. Goodwyn the House concurred in and adopted the Senate amendment to the bill, H. 683, said Senate amendment being as follows:

Amendment of H.B. 683:

Insert the words "or federal government," after the word "municipality" and before the word "and" where those words appear together in the first paragraph of the proposed amendment.

Strike out the sentence, "The tax shall be imposed at the following rates on the incomes of individuals and corporations," appearing in the first paragraph of the proposed amendment, and insert in lieu thereof the following:

The tax shall be imposed on the incomes of individuals and corporations at rates not to exceed the following:

Strike out the sentence in the proposed amendment, "Such tax shall be based on the adjusted gross incomes of individuals and corporations" and insert the following in lieu thereof:

Such tax shall be based on the adjusted gross incomes of individuals and corporations, as defined by the Legislature.

Amendment to H.B. 683, as amended:

Amend H.B. 683, as amended, by striking from Section 1 the following sentence appearing therein: "For the purposes of this amendment, the term 'adjusted gross income' shall mean the entire income received during any taxable year less ordinary and necessary expenses incurred in acquiring such income, without personal exemptions or other deductions of any kind whatsoever."

Yeas 75; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nettles
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Albea	Faulk	Kaul	Payne
Ashworth	Ferrell	Kelly	Pirkle
Boyd	Franklin	Killough	Ramey
Bradford	Gilchrist	Kirkham	Richardson
Brewer	Goodwyn	Lackey	Roberts
Broadfoot	Gregory	Law	Solomon
Brooks	Grouby	Lee (Barbour)	Speaks
Brown (Lamar)	Hain	Love	Steagall
Brown (Lee)	Hall	McClendon	Stembridge
Burkhalter	Haltom	McKay	Summerlin
Cornett	Hare	McLendon	Taylor
Cox	Harrison	McNider	Thomas
Crook	Harvey	Martin	Vacca
Dawkins	Hawkins	Mathison	Ward
deGraffenried	Holliman	Meeks	Windle
Dement	Hunt	Molette	Wood
Dickson	Jenkins	Money	

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REPORT OF CONFERENCE COMMITTEE ON THE  
DISAGREEMENT BETWEEN THE TWO HOUSES ON HOUSE  
BILL 98

To the House of Representatives  
and Senate of Alabama,

We, the undersigned members heretofore appointed as Committee of Conference on the disagreement of the two Houses on the Senate Amendment to the bill, H. 98, beg leave to report as follows:

- (1) That the Bill, H. 98, be amended by the following substitute:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters in this State.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 38 of Title 8, Code of Alabama 1940, be and the same is hereby amended so as to read as follows:

"Section 38. No resident of this State between the ages of sixteen and sixty-five shall take, catch, kill or attempt to take, catch or kill any fish in any of the waters in this State, in which fresh or salt water fish appear, by angling with rod and reel or by use of any artificial bait, fly or lure without first procuring a fishing license and paying therefor

the sum of two dollars. No resident of this State between the ages of sixteen and sixty-five shall take, catch, kill or attempt to take, catch or kill any fish in any of the waters of this State, in which fresh or salt water fish appear, by angling with a hook and line without first procuring a fishing license and paying therefor the sum of one dollar. Any resident who procures a rod and reel license, however, shall be entitled to fish with a hook and line without the necessity of procuring an additional license. These licenses shall be issued in the manner and under the conditions, limitations and exemptions as expressly provided for in this Act.

"Such fishing licenses shall not be transferable and it shall be unlawful to borrow, lend or alter any such fishing license or for any license issuing officer to back-date any such license at the time of issuing same.

"Any citizen of this State who is entitled to purchase a fishing license as herein provided for may procure such license by applying to any judge of probate, license commissioner or other persons authorized and designated to issue fishing licenses, stating his or her name, age, color, place of residence and post office address and paying to such issuing officer the amount required herein for such license. Judges of probate, license commissioners or other persons authorized and designated to issue fishing licenses shall be entitled to a fee of fifteen cents for each license so issued, which fee shall be in addition to the amount designated in this Act as the cost of such license. Provided, however, that all fees collected by any probate judge or license commissioner who is paid a salary for the performance of his duties shall be paid by him into the County Treasury to the credit of the appropriate Fund.

"All persons under the age of sixteen years shall be exempted from the requirement of procuring such license. Any citizen of this State over sixty-five years of age shall be exempted from the requirement of procuring a fishing license as provided for herein upon payment of an issuing fee not to exceed fifteen cents to any judge of probate or license commissioner and, upon satisfactory proof to such judge of probate or license commissioner that he or she has attained the age of sixty-five years, an exempted fishing license will thereupon be issued to such person. Such exempted license issued to any citizen of this State who has attained the age of sixty-five years shall be issued upon a lifetime basis and without further requirements of annual renewal. In the event such license is lost, such citizen may acquire a similar license by paying to any judge of probate or license commissioner an issuing fee not to exceed fifteen cents and upon again presenting satisfactory proof that he or she has attained the age of sixty-five years.

"The license required by this Section shall not apply to persons fishing with an ordinary hook and line in his or her county of residence or within one mile of his or her resident county boundary line nor shall it include any person or member of his immediate family who fishes on or from lands owned by him nor shall it include any tenant or member of his immediate family who fishes on or from lands leased or rented by such tenant and who resides on such lands. Provided, however, any person who fishes with ordinary hook and line in his own county of residence shall be required to have on his person, while so fishing, reasonable proof of said residency in such county.

"The revenue derived from the sale of the license provided for in this Act shall be remitted to the Department of Conservation on the first day of each month by the issuing officer and shall be covered into the State Treasury to the credit of the Game and Fish Fund and shall



be used in the construction, maintenance, development and supervision of public fishing lakes and for the purchase of lands to be used for public landings on public streams and for the development, protection, propagation and distribution of fish and wildlife of this State.

"Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed twenty-five dollars for each offense."

Section 2. All laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective October 1, 1955.

EMMETT WOOD  
N. S. HARE  
BRYCE C. DAVIS  
Conferees on the part of the House  
E. O. EDDINS  
BOONY D. L. CANTRELL  
Conferees on the part of the Senate

I do not concur in the foregoing majority report.

I do not recommend adoption of the conference committee substitute.

JAS S. COLEMAN, JR.  
Conferee on the part of the Senate

#### CONFERENCE COMMITTEE REPORT ADOPTED

Mr. Wood moved that the House concur in and adopt the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 98, said report being set out in the above and foregoing Report of the Committee of Conference.

Mr. Tyson moved that the House non-concur in the Conference Report and have Chair name a new Committee of Conference.

On motion of Mr. Wood, the motion of Mr. Tyson that the House nonconcur in the Conference Report and have Chair name a new Committee of Conference was laid upon the table.

Yeas 62; Nays 24.

#### Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nolen
Ashworth	Edwards (Escambia)	Kelly	Oakley
Bassett	Faulk	Killough	Payne
Boyd	Ferrell	Kirkham	Pirkle
Bradford	Gregory	Law	Ramey
Brewer	Grouby	Lee (Barbour)	Shumate
Broadfoot	Hall	Lee (Lawrence)	Solomon
Brooks	Halton	Locke (Choctaw)	Speaks
Brown (Lamar)	Hare	McLendon	Stegall
Burkhalter	Harrison	McNider	Stembridge
Cox	Harvey	Martin	Summerlin
Crook	Hawkins	Mathison	Taylor
Davis	Holliman	Molette	Thomas
Dawkins	Huddleston	Money	Windle
deGraffenried	Hunt	Nettles	Wood
Dement	Jenkins		

**Nays:**

Messrs.	Edwards (Jefferson)	Kaul	Perry
Adams	Franklin	Kendall	Richardson
Albea	Gilchrist	Lackey	Roberts
Brown (Lee)	Goodwyn	Locke (Perry)	Simon
Callahan	Hain	McKay	Tyson
Cornett	Johnson (Tallapoosa)	Mathews	Vacca
DeSear			

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And the motion of Mr. Wood that the House concur in and adopt the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 98, was adopted.

Yeas 63; Nays 20.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Jenkins	Nolen
Bassett	Edwards (Jefferson)	Johnson (Elmore)	Oakley
Boyd	Faulk	Kelly	Payne
Bradford	Ferrell	Kendall	Pirkle
Brewer	Gregory	Killough	Reynolds
Broadfoot	Grouby	Kirkham	Roberts
Brooks	Hain	Lackey	Shumate
Brown (Lamar)	Hall	Law	Speaks
Burkhalter	Haltom	Lee (Lawrence)	Steagall
Cornett	Hare	Locke (Choctaw)	Stembridge
Crook	Harrison	McLendon	Summerlin
Davis	Harvey	McNider	Taylor
Dawkins	Hawkins	Martin	Vacca
deGraffenried	Holliman	Mathison	Windle
Dement	Huddleston	Meeks	Wood
Dickson	Hunt	Nettles	

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**Nays:**

Messrs.	DeSear	Lee (Barbour)	Simon
Adams	Franklin	Locke (Perry)	Solomon
Albea	Gilchrist	McKay	Thomas
Ashworth	Goodwyn	Molette	Tyson
Brown (Lee)	Johnson (Tallapoosa)	Richardson	Ward
Callahan			

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And said bill:

H. 98. To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters of this State.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 63; Nays 20.

**Yeas:**

Mr. Speaker	Brown (Lamar)	deGraffenried	Gregory
Bassett	Burkhalter	Dement	Grouby
Boyd	Cornett	Dickson	Hain
Bradford	Cox	Edwards (Escambia)	Hall
Brewer	Crook	Edwards (Jefferson)	Haltom
Broadfoot	Davis	Faulk	Hare
Brooks	Dawkins	Ferrell	Harrison

Harvey	Kirkham	Mathison	Shumate
Hawkins	Lackey	Money	Speaks
Holliman	Law	Nettles	Steagall
Huddleston	Lee (Lawrence)	Nolen	Stembridge
Hunt	Locke (Choctaw)	Oakley	Taylor
Jenkins	Love	Payne	Vacca
Johnson (Elmore)	McLendon	Pirkle	Windle
Kelly	McNider	Reynolds	Wood
Killough	Martin	Roberts	

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**Nays:**

Messrs.	Franklin	Lee (Barbour)	Simon
Adams	Gilchrist	Locke (Perry)	Solomon
Albea	Goodwyn	McKay	Thomas
Brown (Lee)	Johnson (Tallapoosa)	Perry	Tyson
Callahan	Kaul	Richardson	Ward
DeSear			

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## RECONSIDERATION OF H. 473

The House proceeded to reconsider the bill:

H. 473. Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

The question was upon the passage of the bill, H. 473, the Governor's veto to the contrary notwithstanding.

And said bill, H. 473, was again read at length and passed, the Governor's veto to the contrary notwithstanding.

Yeas 57; Nays 6.

**Yeas:**

Messrs.	Edwards (Jefferson)	Johnson (Tallapoosa)	Molette
Adams	Faulk	Kaul	Money
Albea	Franklin	Kendall	Nettles
Ashworth	Gilchrist	Killough	Nolen
Boyd	Goodwyn	Kirkham	Oakley
Bradford	Hain	Lackey	Payne
Brewer	Hall	Lee (Barbour)	Perry
Brooks	Haltom	Locke (Choctaw)	Ramey
Brown (Lee)	Hare	Locke (Perry)	Richardson
Burkhalter	Harrison	McClendon	Roberts
Cornett	Harvey	McKay	Solomon
Cox	Holliman	McLendon	Summerlin
Crook	Huddleston	McNider	Thomas
DeSear	Hunt	Meeks	Windle
Dickson	Jenkins		

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**Nays:**

Mr. Speaker	Dement	Hawkins	Vacca
Bassett	Gregory		

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Which was a majority of the whole number elected to the House.

#### PAIRS ANNOUNCED

Mr. Dawkins announced that he was paired with Mr. Hardy. If Mr. Hardy were present he would vote "yea" and Mr. Dawkins would vote "nay".

Mr. Pirkle announced that he was paired with Mr. Selman. If Mr. Selman were present he would vote "nay" and Mr. Pirkle would vote "yea".

#### BILLS ON SECOND READING

Mr. Callahan, Vice-Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 931. To amend Section 1 of Act No. 131, S. 9, approved July 12, 1955, regulating the compensation of certain circuit judges.

H. 923. To apply in Counties of this State having a population of not less than 94,000 and not more than 134,000, according to the latest or any subsequent Federal Decennial Census and to further regulate the use of statements and releases procured from individuals while they are patients in any hospital.

H. 779. Relating to eminent domain; amending Code 1940, Title 19, Section 11, which provides for the appointment of commissioners in condemnation proceedings.

Mr. Callahan, Vice-Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 950 (With Substitute). To make it unlawful for any official, employee, or agent of any bank to disclose the balance in the account of any depositor in the bank, except upon express authorization by the depositor or upon an order of a court of competent jurisdiction; to prescribe penalties for violation of the Act; and to provide that the depositor may sue and recover damages on account of such unlawful disclosure.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

H. 951. To amend Section 152 of Title 41, Code of Alabama 1940, as amended, by an Act entitled "An Act to amend Section 152 of Title 41 of the Code of Alabama, 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951.

H. 890. To provide for the election of an additional member of the board of control of the Teachers' Retirement System.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 535 (With amendment). To provide that any agent of the State Department of Revenue when duly appointed by the Commissioner of Revenue shall have the powers of peace officers and the authority to serve writs of process and levy on and sell property on executions issued by the State Department of Revenue; to provide that laws prescribing fees for such acts and services when performed by Sheriffs and other peace officers are not applicable to such agents; to provide for the giving of bond by such agents; to provide for an effective date of this Act.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 870. To amend Act No. 712, H. 48, approved September 5, 1951 (Acts of Alabama, Regular Session, 1951, p. 1250), entitled "An Act To create a State Bureau of Publicity and Information, transferring to it the functions, funds, jurisdiction, authority, personnel, property and effects of the Division of Records and Reports, providing for the appointment of a Director of Publicity and an advisory board, abolishing the office of Director of the Division of Records and Reports, conferring exclusive power upon the Bureau to plan and conduct all state programs of tourist advertising, and making an appropriation for that purpose."

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 889 (with amendment). To amend Act No. 63, H. 49, approved June 3, 1953 (Acts of the 1953 Regular Session, Vol. I, p. 94), which provides old age assistance to certain teachers.

Mr. Lackey, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 557 (With Substitute). To regulate the teaching and practice of cosmetology, requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor.

Mr. Lackey, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 415. To amend further Section 115, Title 22, Code of Alabama (1940), as amended, which prescribes penalties for violations of the laws providing for the control of rabies.

Mr. Lackey, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 414 (With Amendment). To amend further Section 111, Title 22, Code of Alabama (1940), as amended, which prescribes a penalty for a dog found not wearing evidence of inoculation against rabies.

Mr. Lackey, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 416. To amend Section 106 of Title 22, Code of Alabama (1940), which relates to the enforcement of laws providing for the control of rabies.

Mr. Wood, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 868 (With Substitute). To regulate further the catching, taking, transporting, and processing of menhaden; to authorize the state department of conservation to adopt and enforce reasonable rules and regulations governing the catching, taking, and transporting of menhaden; to levy certain license taxes and to provide for the distribution of the proceeds thereof; to provide for the enforcement of the Act; to provide for an appropriation; and to prescribe penalties for violations of the Act or the rules and regulations promulgated under the Act.

Mr. Adams, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 554. To amend Sections 92 and 117 of Title 17 of the Code of Alabama of 1940 so as to authorize any county or city or other political subdivision of the state to authorize and direct the use of voting machines for registering or recording and computing the vote at all elections held in such county or city or other political subdivision or portion of any thereof without the requirement of submitting the question of the authorization or installation of voting machines to a vote of the qualified electors of such county, city, or other political subdivision, and so as to make the pertinent and necessary laws pertaining to the use of voting machines in counties also apply to the use of voting machines in any municipality or other political subdivision in which voting machines may be adopted.

Mr. Bassett, Vice-Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 168. To amend Section 403 of Title 15, Code of Alabama (1940).

H. 863. To apply in all those counties of Alabama having a population of not less than 94,000 and not more than 134,000, according to the

latest or any subsequent Federal decennial census, and to further regulate the taxing powers of all municipalities without the city limits of such municipalities located in such counties.

H. 906. To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

H. 907. To amend Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws."

H. 908. To amend further Section V of an act to provide for an election of the County Superintendent of Education for Marion County, Alabama, to fix the term of office, to provide for filling vacancies therein, to prescribe his salary, and the manner of payment thereof, to define his qualifications, powers, and duties, and to provide for his successor in office, approved June 3, 1935 (Local Acts, 1935, p. 18).

H. 909. Relating to Marion County: To amend further Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), entitled "An Act to allow the Sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

H. 910. To authorize and empower the governing body of the City of Guntersville, Alabama, by resolution, to authorize the Mayor of the City of Guntersville to lease or sub-lease any of the real or personal property now owned or leased by such City, or hereinafter acquired or leased by said City of Guntersville, to provide that a lease or sub-lease made in accordance with such resolution shall be binding for the term specified in the resolution not to exceed a period of ten years, to provide restrictions upon such subleases, to provide that the provisions of such act are severable, and to provide when this Act shall become effective.

H. 911. Relating to Monroe County; requiring the court of county commissioners, board of revenue, or like governing body of said county to pay or cause to be paid to certain county employees a minimum hourly wage of eighty cents.

H. 912. Relating to the election of members of the County Commission of Monroe County: Providing that such members shall be elected by vote of the qualified electors of the county at large.

H. 913. Relating to Monroe County; authorizing and directing the court of county commissioners of Monroe County to provide for the installation and use of voting machines in certain election precincts within the county; and authorizing the court of county commissioners to adjust the boundaries of election precincts and districts within the county in order to make the most effective use of such machines.

H. 914. Relating to Monroe County; requiring the court of county commissioners, board of revenue or like governing body of said county to cover or cause to be covered the employees of the county, or any to cover or cause to be covered the employees of the county, or of any officials, under the Workmen's Compensation Act.

**H. 915.** Relating to Monroe County: To regulate further the purchasing of supplies, materials, equipment, and services for the use of the county and county officers, offices, departments, and agencies, and the disposition and use of county property; providing penalties for violations of this Act.

**H. 916.** Relating to Monroe County: To create and establish in Monroe County a court of record with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Inferior Court of Monroe County"; defining its jurisdiction; providing it with officers; defining their powers, duties, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Monroe County, taking criminal jurisdiction away from justice of the peace courts in the county and providing for the transfer and trial of cases pending in the abolished court and of criminal cases pending in justice of the peace courts at the time this Act takes effect to the newly created Inferior Court of Monroe County.

**H. 917.** To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 225,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

**H. 919.** Relating to Sumter County: To amend further Act No. 261, H. 571, approved August 6, 1947 (Local Acts of Alabama, 1947, page 187), which created the Board of Commissioners of Sumter County.

**H. 920.** To provide for the appointment of a clerk of the civil and misdemeanors court of south Talladega County, and to prescribe his qualifications, duties, and compensation.

**H. 926.** To impose in Winston County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naptha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agent for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax; to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses,



and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

H. 927. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

H. 928. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

H. 929. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

H. 930. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

H. 932. To provide for the manner of electing the members of the DeKalb County Board of Education, and to specify their election of one member thereof from each of the Commissioners Districts of DeKalb County, Alabama, and one member at large from said county and to provide their terms of office.

H. 934. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census, and to further regulate the number of meetings allowed to be held by the County Boards of Education in such counties.

H. 935. To regulate further the insuring of school buildings and other school property in counties having a population of not less than 50,000 nor more than 54,000 inhabitants, according to the last or any subsequent federal decennial census.

H. 952. Relating to Mobile County; levying a privilege license tax upon every person, firm, or corporation selling, delivering, or withdrawing from storage or keeping in storage for sale or delivery in Mobile County, any gasoline, naphtha, and other liquid motor fuels, or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude oil" commonly used for lighting, heating, or industrial purposes; providing that the amount of any municipal excise tax levied on such motor fuels and paid to any municipality in Mobile County shall be a credit toward the payment of the tax levied by this Act; providing for the enforcement and collection of the tax; providing for the distribution of the proceeds thereof among the county and the incorporated cities and towns in the county; and prescribing penalties for violation of this Act.

Mr. Meeks, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 949. To fix the compensation or salary of the Deputy Circuit Clerk created under Title 13, Section 199 of the Code of Alabama 1940, for the division of the tenth judicial circuit described therein. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

H. 948. To increase the compensation of the Judge of any Court in the Counties of over 400,000 according to the last and any subsequent federal census where such judge is elected by the Circuit judges of such counties and said judge has original jurisdiction only to try misdemeanor cases and has jurisdiction as a committing magistrate in felony cases and has no authority to try civil cases nor domestic relation cases and also has jurisdiction in bastardy proceedings which increase is to begin at the beginning of the new term of office of said judge.

H. 947. To fix the compensation or salary of the Sheriff of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

H. 946. To amend Section 788 of Title 37 of the 1940 Code of Alabama.

H. 945. To fix the compensation or salary of the Treasurer of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

H. 944. To provide for the selection, election and term of office of members of the governing body of any city which may now or hereafter have a population of 250,000 or more inhabitants according to the last or any succeeding federal census; to provide for the filling of vacancies on the governing body of any such city; to provide for the distribution of powers and duties into and among three departments of government and the assignment thereof among the members of the governing body of any such city; to provide that any person heretofore elected to the office of president of the commission or commissioner upon the governing body of any such city and assigned by the commission thereof to and serving as head of the Department of General Administration, Finances and Accounts or the Department of Public Improvements or the Department of Public Safety on the 31st day of December, 1954, shall not be subject to change in such assignment by the commission of such city; to provide that this Act shall not apply to any city governed under the provisions of Act No. 518 of the 1953 Session of the Legislature; to provide that all powers vested in any such city by this Act, by the laws general and local of the State and by Title 62, Code of Alabama of 1940, as amended, shall be vested in the commission of such city; to provide when the various provisions of this Act shall become applicable to any such city; to repeal all laws or parts of laws in conflict with the provisions of this Act; and to provide for the severability of any section, clause, provision or portion of this Act should any such section, clause, provision or portion be held invalid by any court of competent jurisdiction.

H. 943. To fix the compensation or salaries of Tax Assessors and Tax Collectors in counties of 500,000 inhabitants, or more, according to

the last or any subsequent Federal census; and to require such officers to pay in to the county treasury of such county, or counties, all fees, commissions, costs or other emoluments which are now allowed by law.

H. 942. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide that this act shall become effective on the first Monday of November, 1957.

H. 941. To fix the salary of the Judge of the Juvenile & Domestic Relations Court of any County in this state having a population of more than 400,000 according to the last or any subsequent federal decennial census.

H. 940. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

H. 939. To provide for the compensation to be paid certain Deputy Circuit Solicitors by counties having a population of four hundred thousand (400,000) or more according to the last or any succeeding decennial federal census.

H. 938. To fix the compensation or salary of the Circuit Clerk of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

H. 937. To amend Sections 4 and 8 of an Act of the Legislature approved September 4, 1951, General Acts of Alabama of 1951, page 1132, entitled: "An Act to levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of, two cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the county for division, or distribution, between such county and the municipalities located therein; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act."

H. 936. To further amend Section 793 of Title 37 of the 1940 Code of Alabama, as heretofore amended by Act No. 857 of the Regular Session of the Legislature of Alabama of 1953 (General Acts of Alabama of 1953, p. 1147), approved September 19, 1953.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 215. To regulate further the office of circuit solicitor of the Eighth Judicial Circuit of Alabama: Creating special funds for ex-

penditure by the circuit solicitor in law enforcement and in the conduct of his office.

H. 772. To provide a law enforcement fund for the use of the circuit judge and circuit solicitor of the Twenty-fourth Judicial Circuit.

#### INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Gregory:

H. 954. (with notice and proof). Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction, and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.

Local Legislation No. 1.

Notice and Proof H. 954:

#### A BILL TO BE ENTITLED AN ACT

#### STATE OF ALABAMA, COUNTY OF BLOUNT.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Revenue of Blount County is hereby abolished and there is created in lieu thereof the Board of Finance and Control, to be composed of a chairman and four associate members.

Section 2. Immediately upon the effective date of this Act, the Governor shall appoint a person who is a qualified elector and legal resident of Blount County to serve as chairman of the Board of Finance and Control until the first Monday after the second Tuesday in January, 1961, and until his successor is elected and qualified. The incumbent members of the Board of Revenue, other than the chairman, shall continue to serve as members of the Board of Finance and Control until their successors shall have been elected and qualified, as herein provided. A chairman of the Board shall be elected at the general election to be held in 1960, and every four years thereafter. The chairman of the board shall be elected from the county-at-large by the qualified electors of the entire county. A candidate for chairman must be a qualified elector and legal resident of Blount County. One associate member of the board shall be elected from each of the four districts into which the county is now divided by law for the purpose of electing members of the county governing body of Blount County. A candidate for associate member of the board must be a qualified elector and legal resident of

the district he seeks to represent and shall continue to reside therein during his continuance in office. Associate members of the board from Districts 1 and 3 shall be elected at the general election to be held in 1958, and every four years thereafter. Associate members of the board from Districts 2 and 4 shall be elected at the general election to be held in 1956, and every four years thereafter. The chairman and associate members of the board shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election and until their successors are elected and qualified.

Section 3. The chairman of the board shall receive a salary of four thousand two hundred dollars (\$4,200.00) per annum, payable in equal monthly installments, plus an allowance not to exceed fifty dollars (\$50.00) per month for expenses incurred in traveling on official county business outside the county. Each associate member of the board shall receive a salary of three thousand dollars (\$3,000.00) per annum, payable in equal monthly installments, plus mileage at the rate of seven cents (.07) per mile for each mile traveled on official county business, but the mileage provided herein shall not exceed fifty dollars (\$50.00) per month. A part of the salaries of the chairman and associate members may be paid out of the county gasoline tax revenues, provided that the part of such salaries so paid out of county gasoline tax revenues shall bear the same proportion to the total salary paid to such member as the time devoted by such member to supervising, inspecting, accepting, building, or repairing county roads and bridges bears to the total time devoted by such member to all his duties as a member of the Board of Finance and Control. The board shall determine the proportion of such salaries to be paid out of county gasoline revenues.

Section 4. The Board of Finance and Control shall have all the jurisdiction and powers which are, or which hereafter may be, vested in courts of county commissioners, boards of revenue, or like county governing bodies by the general laws of this State, or vested in the governing body of Blount County by local law; and the chairman and members of the board shall perform all the duties and services and exercise all the powers which are, or which hereafter may be, provided by the general laws of this State for the chairman and members, respectively, of courts of county commissioners, boards of revenue, or like county governing bodies, or for the chairman and members of the governing body of Blount County by local law.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

LOWELL GREGORY  
Blount County Member  
House of Representatives

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#### PROOF OF PUBLICATION

STATE OF ALABAMA,  
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the

attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1955.

MOLLY RYAN

Sworn to and subscribed before me August 11, 1955.

RICE M. HOWARD,  
Editor.

By Mr. Speaks:

H. 955 (With Notice and Proof). To establish a County Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a court reporter for said court and to fix and prescribe his duties and compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the Chilton County Law and Equity Court of Chilton County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 955:

STATE OF ALABAMA,  
COUNTY OF CHILTON.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### AN ACT

To establish a County Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a court reporter for said court and to fix and prescribe his duties and compensation and to provide for the payment of his salary; to provide that said court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the Chilton County Law and Equity Court of Chilton County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That there is hereby established in and for Chilton County, Alabama an Inferior Court of Law, both civil and criminal, and of Equity, which shall be called County Court of Chilton County, Alabama, and which shall be a court of record, and which shall have and exercise concurrent jurisdiction now conferred, or which may hereafter be conferred, upon the several Circuit Courts of the State, provided that the said County Court shall not have jurisdiction to try a person charged with felonies and provided further that said court's civil jurisdiction on the law side of said court shall not exceed the sum

of \$500.00, exclusive of the interest and cost; and said Court shall have concurrent jurisdiction with Justices of the Peace of Chilton County in all matters whatsoever; and shall also have and exercise such further jurisdiction, authority, functions and powers as are hereinafter conferred upon it by this Act.

Section 2. That Honorable J. B. Atkinson, who was appointed to the office of the Judge of the Chilton County Law and Equity Court and who is now serving as Judge of said Court shall hold office as Judge of County Court of Chilton County, Alabama until the second Tuesday after the first Monday in January, 1957 and until his successor shall be elected and qualified. A judge of said Court shall be elected by the qualified electors of Chilton County, Alabama, at the general election to be held in 1956, and each 4 years thereafter, and the term of the judge of said Court shall commence on the second Tuesday after the first Monday in January following his election, and shall continue for a period of 4 years and until his successor shall be elected and qualified. The judge of said Court, before entering upon the duties of said office, shall take the oath required by law to be taken by judges of the Circuit Courts of Alabama. The said judge shall be a qualified elector of Chilton County, Alabama, shall be learned in the law, and shall be a member of the Alabama Bar in good standing, and shall be not less than twenty-five years of age. The said judge shall devote his entire time to the duties of his office, and shall be barred from the practice of law during his term of office. Said judge may be removed from office in the manner and for the causes now provided by law for the removal of Circuit Judges.

Section 3. Vacancies in the office of the judge of said court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the Constitution and law of this State.

Section 4. That the clerk of the Circuit Court of Chilton County, Alabama, shall be ex-officio clerk of the County Court of Chilton County, Alabama and shall have the same powers and discharge the same duties as clerks of the Circuit Courts, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall be entitled to the same fees, commissions and emoluments as are now, or as may hereafter be, allowed to Circuit Clerks of Alabama, except as hereinafter provided, and the same shall be collected as such fees and commissions are collected in the Circuit Courts; except that in civil matters where suit is brought for \$100.00 or less only the fees and commissions allowed by law to Justices of the Peace shall be collected; and said clerk shall exercise the same powers and perform the same duties as are exercised and performed in the Circuit Court. That the Register of the Circuit Court in Equity shall be ex-officio register of the County Court of Chilton County and shall have the powers and County Court of Chilton County and shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees and commissions as are now, or as may hereafter be, allowed to the Register of Circuit Courts in Equity and the same shall be collected as such fees are collected in Circuit Courts.

Section 5. That the judge of said Court shall receive a salary of \$4,800 per annum, payable in equal monthly installments out of the county treasury at the end of each month, his signed receipt being required.

Section 6. That Honorable Lawrence F. Gerald, County Solicitor of Chilton County, Alabama, who was elected to said office at the general election held in 1954, shall be the Solicitor of the County Court of Chilton County, during the term of office for which he was elected at said elec-

tion, and thereafter the duly elected County or Deputy Solicitor of Chilton County, Alabama, shall be the solicitor of the said County Court of Chilton County and all solicitor's fees taxed and collected in said court shall be paid into the county treasury of Chilton County for the benefit of the general fund of said county.

It shall be the duty of said Solicitor to prosecute all criminal cases pending in said Court.

Section 7. That the said County Court of Chilton County shall be held at the courthouse of Chilton County, Alabama, and that said court shall be open at all times for the trial of cases and transactions of business. In case of sickness or disqualification of the judge of said court, the law applicable to the appointment and service of special judges in the Circuit Court shall apply and the Special Judge appointed shall receive for his service the same pay that Special Circuit Judges receive for their services and the same to be paid out of the general funds of Chilton County, Alabama on the Certificate of the Clerk or Register making the appointment. The judge of said Court shall be subject to the same penalties for failure to attend upon the court as are Circuit Judges of this State. The Judge of said court shall keep an office in the court house of Chilton County, Alabama, or at such other suitable place as may be provided by the Board of Revenue and Control of Chilton County, and it shall be the duty of the Board of Revenue and Control of Chilton County to provide such office and supply the same with all furnishings, fixtures, stationary, telephone and other supplies necessary to enable the judge of said court to efficiently conduct the affairs of his office.

Section 8. A session of said court for the trial of criminal cases shall be held on the first Monday of each month and at such other times as the Judge of said Court may order, and a session for the trial of civil cases shall be held on the second Monday of each month, and a session for the trial of equity cases shall be held on the third Monday of each month. Provided, however, that the court shall have the right and power to call extraordinary sessions of said court whenever in the judgment of the court the same is necessary.

Section 9. Any party feeling aggrieved from the judgment of said Court rendered in any civil cause, may appeal from said judgement to the Circuit Court of Chilton County, Alabama, by giving security for the costs, the same to be approved by the Clerk or Judge of said County Court of Chilton County or if the party desiring to appeal, wishes to supersede the judgment of said court, then he may give security for cost, and a supersedeas bond in double the amount of the judgment, to be approved by the judge or clerk of said court. All appeals from judgments in civil cases in said court shall be taken to the Circuit Court within thirty days after the rendition of the judgment, and all appeals taken from said Court shall be tried de novo in the Circuit Court in any case appealed from said court to the Circuit Court. The appellant, within ten days, after the perfection of his appeal and the appellee, within ten days after notice of appeal is served on him, may have the issues of fact tried by a jury in the Circuit by filing with the Clerk of the Circuit Court a written demand for a trial of said cause by a jury.

Section 10. In all criminal cases of conviction in said County Court of Chilton County the defendant shall have the right of appeal to the Circuit Court of Chilton County, on entering into bond, with sufficient surety, to appear at the term of the Court to which the appeal is taken, and from term to term until discharged; the bond to be is such penalty as the Judge of the said County Court of Chilton



County may prescribe, and to be approved by the Judge or Clerk of said Court. If the defendant does not make the bond required he shall remain in custody and said defendant may, within ten days after taking said appeal, demand in said Circuit Court a trial by jury; otherwise, said case shall be tried by the Court without a jury.

Section 11. That the Supreme Court and Court of Appeals of this state shall have appellate and supervisory jurisdiction over said court and the judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the Circuit Courts of the State, and the judge thereof, and appeals may be taken from the order and judgments of said court while sitting as a Court of Equity to the Supreme Court and Court of Appeals in the same manner, and within the same time, as appeals are now taken from the orders and judgments of the Circuit Courts of the State, (except as herein provided for appeals to the Circuit Court). The same rules, regulations and laws applicable to appeals from the Circuit Court in Equity, to the Supreme Court or Court of Appeals shall govern appeals in all Equity cases from the County Court of Chilton County to the Supreme Court or Court of Appeals, unless otherwise provided in this Act.

Section 12. That there shall not be any jury trials in the County Court of Chilton County in the trial of civil and criminal cases but the judge of said Court shall have the authority and power in all equity cases to draw and empanel petit juries for the trial of the issues of fact of all equity cases in which the parties are entitled by law to a trial by jury, as provided by Title 7, Section 322, 1940 Code of Alabama. In the trial of any such equity case by a jury, Sections 323, 324, 325 and 326, Title 7, 1940 Code of Alabama, shall govern the Court in the trial, summoning and paying of the jurors.

Section 13. All cases in equity, now or hereafter pending in the Circuit Court of Chilton County, Alabama, may be, by agreement of the parties thereto, transferred from the said Circuit Court to County Court of Chilton County.

Section 14. That the procedure, practice and rules governing the Circuit Courts of Alabama now, or which hereafter may be adopted, shall in all things apply to and govern the procedure and practice of the County Court of Chilton County except as otherwise provided herein.

Section 15. The Sheriff of Chilton County shall, in person or by a deputy, or deputies appointed by him, said appointment to be approved by the judge of said court, be required to attend upon said court in preserving order, and execute all writs of process and perform such other duties, in all respects as in the Circuit Court of this State, and each deputy required, not exceeding three, for attendance upon said session of said court, shall receive the sum of \$3.00 per day, payable out of the county treasury upon the warrant of the judge of said court, provided that such deputies shall not receive pay except for the time that the court is actually in session and none of such compensation to the deputies shall be shared in by the Sheriff, and for the service by the Sheriff of the process of said Court, he shall receive such compensation as he receives under the law of the State of Alabama or any laws enacted in the future by the Legislature of Alabama for the compensation of the sheriff for similar services in the Circuit Court, except as herein otherwise provided.

Section 16. That if for any reason forfeiture be taken on any bond on the criminal side of said Court, the court may order the alias capias returnable instantor or within ten days, and unless the party or parties

against whom the forfeiture is taken shall appear and show cause, when the forfeiture is returnable, why the forfeiture should be set aside, then the court is hereby authorized and empowered to make the judgment final.

Section 17. That the judge of the County Court of Chilton County shall adopt a seal for the law side of the docket of the County Court of Chilton County which shall be kept in the custody and control of the clerk of the court.

Section 18. That the judge of the County Court of Chilton County shall adopt a seal for the equity side of the docket of the County Court of Chilton County which shall be kept in the custody and control of the register of the court.

Section 19. When the summons, writ of attachment, summons and complaint in attachment, or other process either in law or in equity has been executed on the defendant or service perfected on him, as required by law, the defendant shall appear and plead, answer or demur thereto within the time how, or which, here after may be, provided by law, in the Circuit Court; provided however, that in all causes over which the Justice of the Peace Courts have, or hereafter may have, concurrent jurisdiction with the County Court of Chilton County, the defendant shall appear, and plead, answer or demur thereto within fifteen days from the time of service of process upon such defendant in said cause. Judgments by default or decree pro confesso may be rendered or set aside in the manner now, or which hereafter may be, provided by law.

Section 20. That said County Court of Chilton County shall have exclusive jurisdiction over children and the judge of said County Court of Chilton County shall be the judge of the Juvenile Court; it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the County Court of Chilton County of all juvenile matters and juvenile jurisdiction in Chilton County, Alabama, as now provided under Title 13, Chapter 7, Sections 350 to 383 both inclusive, of the Code of Alabama of 1940, or as hereafter amended, and appeals in such cases shall be provided by law. The Clerk of the Circuit Court is hereby made the Clerk of such Juvenile Court.

Section 21. That this Court shall have exclusive and original jurisdiction of all cases arising under Title 34, Article 3, Sections 89 to 104, both inclusive, of the Code of Alabama of 1940, or as hereafter amended, which Article 3 is entitled Desertion and Non-Support. That the trial of such cases shall be by the Court without a jury and appeals in such cases shall be as provided by law. That the Judge of said County Court of Chilton County shall be the Judge of the Domestic Relations Court, it being the intention to confer complete, full unlimited and exclusive jurisdiction upon the County Court of Chilton County of all domestic relations matters arising under Title 34, Article 3, Sections 89 to 104, both inclusive, of the Code of Alabama of 1940, as amended or as hereafter may be amended.

Section 22. Prosecutions for misdemeanors committed in Chilton County may be instituted in the said court by making an affidavit before the judge of said court or the clerk with the approval of the County Solicitor, the writ on said affidavit to be issued by the judge or clerk of said court, and when the defendant is arrested on said affidavit and warrant, the case shall go on the docket for trial, and be tried as though the defendant has been indicted by a grand jury, provided, however, that the affidavit or complaint may be amended, as now provided for amendment of such papers by Section 347, Title 13, of the Code of Alabama of 1940.

All affidavits or warrants for criminal or quasi-criminal acts, of whatever kind issued by the Justices of Peace of Chilton County shall be returnable to this court.

Section 23. The Judge of said Court shall have power to issue search warrants, writs of habeas corpus, prohibition, Mandamus, certiorari, quo warrants, injunctions and all other special and extraordinary writs, and the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be provided, by law, except as otherwise provided in this Act, shall prevail in the County Court of Chilton County, and the Judge thereof shall have the same powers and authority, including punishment for contempt as is or hereafter may be conferred upon the judges of the Circuit Courts of Alabama, unless otherwise provided in this Act.

The Judge of the County Court of Chilton County shall have the authority and power to appoint a competent shorthand reporter to attend the terms of the Court and report in shorthand all cases tried in said Court and said shorthand reporter shall be paid out of the General Fund of Chilton County, Alabama a salary of \$200 per month payable at the end of each month on a certificate and order of the Judge of said Court. The judge of said Court may remove the shorthand reporter, at his will, without assigning any cause for his action in doing so. The shorthand reporter when not actively engaged in the work of the court as reporter, shall serve as secretary to the judge of said Court, in his office. In addition to the compensation herein provided, said reporter shall be entitled to tax and collect from the litigents or their attorneys for whom he or she is making a transcript of the evidence, the sum of ten cents per one hundred words for said transcript and five cents per hundred words for each copy thereof, and when such transcript is made the reporter shall append thereto his or her certificate to the correctness of the same as such official reporter. The stenographer's notes shall be preserved and filed as now provided by law in the Circuit Court.

Section 24. That from and after the passage of this Act all fines and forfeitures assessed and collected in said court shall be deposited in The Fine and Forfeiture Fund of Chilton County, Alabama.

Section 25. That claims accruing in the County Court of Chilton County will be claims against said fund, and such claims must be paid in the order in which they are registered, as provided by law.

Section 26. It shall be the duty of the clerk of said court to keep a record upon which shall be recorded all affidavits made before the judge or clerk of said court, or returnable by a justice of the peace or judge of an inferior court in said county, to said court and if any of said affidavits should be lost or destroyed, a certified copy of the said record shall be the same as the original affidavit and for recording each of said affidavits, the clerk shall receive a fee of seventy-five cents to be taxed as cost in case of the defendant's conviction.

Section 27. Judgments or decrees rendered by the County Court of Chilton County shall be a lien on the property of the judgment debtor which is subject to levy and sale under execution in the same manner and for the same period of time as is now, or as hereafter may be, provided by law for courts of record of this state upon the filing in the office of a Judge of Probate of a certificate of the said judgment or decree issued by the Clerk or Register of the said court as it now, or as hereafter may be, provided by law; and the said judgment or decree may be revived in the manner now, or as hereafter may be provided by law.

Section 28. The venue of any case in the said County Court of Chilton County may be changed to other counties as it is now, or as it hereafter may be, provided by law for the several Circuit Courts of like jurisdiction.

Section 29. That final judgments rendered in said court shall, after the expiration of thirty days from their rendition, be taken and deemed to have passed beyond the control of said court, as if the term of court at which judgments were rendered had ended, provided, however, that nothing herein contained shall prevent the parties applying for a new trial or rehearing within thirty days or change or destroy the office of motion for new trials or rehearings, when so made, or shall prevent parties from applying to the court for rehearing under statutes authorizing applications for rehearing in the Circuit Court.

Section 30. That there shall be taxed against the defendant on conviction the same solicitor's fee and the same shall be collected in the way provided by law for taxing and collecting solicitor's fees in the Circuit Court, and when collected shall be paid into the treasury of Chilton County, Alabama.

Section 31. That the Chilton County Law & Equity Court of Chilton, County, Ala., is hereby abolished, and from and after the passage of this Act shall no longer exist, and no officers of this state shall collect any fees or salaries because of said court, or for service rendered in said court, and all cases pending in the Chilton County Law and Equity Court of Chilton County, Alabama, when this Act becomes a law, shall immediately become pending upon the docket of the County Court of Chilton County as though originally brought in said court, and shall be called for trial on the first Monday in the month, following the approval of this Act.

Section 32. That a trial tax of three dollars (\$3.00) shall be imposed in each case, civil, criminal and equity, which is docketed in said County Court of Chilton County, to be taxed and collected as other costs, and when collected, to be paid by the Clerk or Register of said County Court of Chilton County, into the general funds of the county as other costs, provided, however, that in civil cases at law where the amount involved is Fifty Dollars or less, a trial tax fee of only \$1.00 shall be imposed and collected, provided further that in all criminal cases where the defendant is charged with violating any of the provisions of Title 36 of the 1940 Code of Alabama and pleads guilty, no trial tax shall be imposed or collected.

Section 33. Witnesses summoned and attending Court shall be entitled to the same per diem and mileage as are paid witnesses in the Circuit Court, of Chilton County, Alabama.

Section 34. That the ex-officio clerk of the County Court shall receive as ex-officio fees for ex-officio duties performed as clerk of County Court of Chilton County the same amount which he is paid in Circuit Court as provided by Title 11, Sec. 4 of 1940 Code of Alabama as amended. Such sum to be paid in 12 monthly installments out of General fund of Chilton County, Alabama.

Section 35. That the Clerk and Register, with the approval of the judge of said court, are hereby authorized and required to purchase all necessary furnishings, records, stationery and supplies for the equipment and maintenance of said court, and the same shall be paid out of the county treasury upon warrants drawn by the judge and signed by the clerk.

Section 36. That if, for any reason, any section, provision or clause of this Act shall be held to be unconstitutional or invalid, that fact

shall not destroy the constitutionality of this Act except as to that clause or section.

Section 37. That all laws in conflict with this Act are hereby repealed.

Section 38. That this Act shall become effective immediately upon its passage and approval by the Governor. 29-4tc

#### PROOF OF PUBLICATION

STATE OF ALABAMA,  
COUNTY OF CHILTON.

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. M. Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Chilton County News, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1955.

R. M. TUCKER

Sworn to and subscribed before me August 11, 1955.

W. L. SMITH,  
Notary Public.

By Mr. Speaks:

H. 956 (With Notice and Proof). Relating to Chilton County: To provide that the board of revenue, court of county commissioners, or like governing body of the county, or other public body having general jurisdiction of the county road system, shall be authorized and empowered to use or to authorize the use of county machinery, equipment, and property in the clearing and grading of building sites for new industries to be located within the county.

Local Legislation No. 1.

Notice and Proof H. 956:

STATE OF ALABAMA,  
COUNTY OF CHILTON.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Chilton County: To provide that the board of Revenue, court of county commissioners, or like governing body of the county, or other public body having general jurisdiction of the county road system, shall be authorized and empowered to use or to authorize the use of county machinery, equipment and property in the clearing and grading of building sites for new industries to be located within the county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of revenue, court of county commissioners, or like governing body of Chilton County, or any other public body

having general jurisdiction of the county road system, shall have the power and authority to use or to authorize the use of the machinery, equipment, or other property of the county to clear and grade building sites for any new industries proposing to locate within the county.

Section 2. Should any provision of this Act or the application thereof to any circumstance be held invalid, such validity shall extend only to such provision or application and shall not affect the validity of any other provision or the applicability to other circumstances.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

STATE OF ALABAMA,  
COUNTY OF CHILTON.

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. M. Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Chilton County News, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1955.

R. M. TUCKER

Sworn to and subscribed before me August 11, 1955.

W. L. SMITH,  
Notary Public.

By Mr. Davis:

H. 957 (With Notice and Proof). To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

Local Legislation No. 1.

Notice and Proof H. 957:

#### LEGAL NOTICES

STATE OF ALABAMA,  
COUNTY OF CULLMAN.

Notice Is Hereby Given That A Bill Substantially As Follows Will Be Introduced In The Legislature Of Alabama And Application For Its Passage And Enactment Will Be Made, To-Wit:

#### A BILL TO BE ENTITLED AN ACT

To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Corporate Limits of the City of Cullman, Alabama, be, and the same are hereby, extended so as to include the following described real estate:

Beginning at a point on the present corporate limits of the City of Cullman where the Drippings Springs Road intersects the West line of Section 9, Township 10, Range 3, West, thence North along the said Section line to the Southwest corner of the Northwest quarter of the Northwest quarter, Section 9, Township 10, Range 3, West; thence East along the South line of the North-half of the Northwest quarter of said Section 9 to the Southeast corner of the Northeast quarter of the Northwest quarter of Section 9, Township 10, Range 3, West; thence North along the East line of the Northeast quarter of the Northwest quarter to the Northeast corner of the Northeast quarter of the Northwest quarter of Section 9, Township 10, Range 3, thence West along the Section line to the Southwest corner of Section 4, Township 10, Range 3, West; thence North along the Section line to the Southwest corner of the Northwest quarter of the Northwest quarter of Section 4, Township 10, Range 3, West; thence East along the Section line of the North-half of the North-half of Section 4, Township 10, Range 3, West to the center line of U. S. Highway 31; thence Southwardly along the center line of U. S. Highway 31 to a point 161 feet South of the point where South line of the Northwest quarter of the Southeast quarter of Section 4 intersects the center line of U. S. Highway 31; thence East and parallel with the South line of the Northwest quarter of the Southeast quarter of Section 4, Township 10, Range 3, West to the West boundary line of the L & N Railroad Right-of-Way; thence Southwardly along the West boundary line of the L & N Railroad Right-of-Way to the present corporate limits; thence along the present corporate limits of the City of Cullman to the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby, repealed.

Section 3. This Act shall take effect upon approval of the Governor. July 21, 28, Aug. 4, 11-Chg.

**THE STATE OF ALABAMA,  
CULLMAN COUNTY.**

Before me Jack C. Riley a Notary Public in and for said County and State, personally appeared Henry Frank Arnold, Publisher of THE CULLMAN TRIBUNE, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: July 21, 28 August 4, 11, 1955.

**HENRY FRANK ARNOLD,**  
Publisher.

Sworn to and subscribed before me this, the 11th day of August, 1955.

**JACK C. RILEY,**  
Notary Public.

By Messrs. Hanby and Hawkins:

H. 958. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the 1950 federal census, or any subsequent federal census.

Local Legislation No. 1.

By Messrs. Hawkins and Hanby:

H. 959. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled

"An Act to fix the compensation of court reporters, and providing for the payment thereof."

Local Legislation No. 1.

By Mr. Hawkins:

H. 960. To provide further for financing the operation of schools and educational institutions: authorizing the Alabama Public Schools Corporation created by Article 10, Chapter 10, Title 52, Code 1940, to borrow money on behalf of certain institutions and agencies, to issue notes or warrants in evidence thereof, to pay interest thereon, and to pledge the proceeds of current appropriations to secure the repayment thereof, in the same manner and subject to the same restrictions, conditions and limitations as such corporation is authorized to make loans for the public schools and pledge the proceeds of minimum program fund appropriations.

Ways and Means.

By Messrs. Stenbridge, Davis, Dement and Steagall:

H. 961. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding five million (\$5,000,000) dollars principal amount of general obligation bonds of the State of Alabama additionally secured by pledge of a portion of the revenues derived from the State Park System, which bonds shall be used only for the purposes of improving, developing, enlarging and maintaining the State Park System of Alabama.

Conservation.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Lackey, Vacca, Perry, Edwards (Jefferson) and Nice:

H. 962. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts 1951, Page 1579).

Local Legislation No. 2.

By Messrs. Meeks, Kaul, Nice, Vacca, Edwards (Jefferson), Perry and Lackey:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custo-



dian of voting machines and the executive assistant or chief clerk of the sheriff in such elections, and to fix their compensation and the manner of payment thereof.

Local Legislation No. 2.

By Messrs. Lackey, Edwards (Jefferson), Perry, Kaul and Meeks:

H. 964. To amend Section 5 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 345, approved August 15, 1947, (General Acts of the Legislature of Alabama of 1947, pages 222-229).

Local Legislation No. 2.

By Messrs. Meeks, Nice, Edwards (Jefferson), Perry, Vacca, Lackey and Kaul:

H. 965. To fix the salary of the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama (Jefferson County) and to regulate the payment of the same.

Local Legislation No. 2.

By Messrs. Meeks, Nice, Edwards (Jefferson), Vacca, Perry and Lackey:

H. 966. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of 200,000 inhabitants or more according to the last or any succeeding federal census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

Local Legislation No. 2.

By Messrs. Meeks, Perry, Edwards (Jefferson), Lackey, Nice and Vacca:

H. 967 (With Notice and Proof). Relating to Jefferson County: To abolish the Inferior Court of Leeds and provide for the transfer and disposition of the pending causes and judgments of the Inferior Court of Leeds.

Local Legislation No. 2.

Notice and Proof H. 967:

LEGAL NOTICE

STATE OF ALABAMA,  
JEFFERSON COUNTY.

NOTICE is hereby given that at the Present Session (1955 Regular Session) of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Jefferson County: To abolish the Inferior Court of Leeds and provide for the transfer and disposition of the pending causes and judgments of the Inferior Court of Leeds.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Inferior Court of Leeds be and the same is hereby abolished.

Section 2. That all cases and causes pending in the Inferior Court of Leeds, together with all dockets, documents, papers and judgments thereof shall be transferred to the Municipal Court of Birmingham, as if they had been instituted therein and all judgments heretofore rendered in the Inferior Court of Leeds shall be treated the same as if they had been rendered by the Municipal Court of Birmingham and the said Municipal Court of Birmingham and its officers shall have the same power and control over the same and shall issue, execution or other process thereon the same as if the judgment had been rendered in the Municipal Court of Birmingham.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Messenger—July 16-23-30; Aug. 6, 1955.

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
JEFFERSON COUNTY.

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 16, 23, 30; Aug. 6, 1955 a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE  
Publisher

Sworn and subscribed to on this the 6th day of August, 1955.

MYRTLE P. LITTLE,  
Notary Public.

By Messrs. Edwards (Jefferson), Nice, Perry, Vacca, Meeks, Lackey and Kaul:

H. 968 (With Notice and Proof). To alter, rearrange, and increase the boundaries of the City of Fairfield, Alabama, Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 968:

## AN ACT

AN ACT TO ALTER, RE-ARRANGE, AND INCREASE THE BOUNDARIES OF THE CITY OF FAIRFIELD, JEFFERSON COUNTY, ALABAMA.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Fairfield in the County of Jefferson, State of Alabama, shall be altered and rearranged and

increased so as to include therein, in addition to the lands now included, the following described property, to-wit:

The point of beginning of the property to be added to the City of Fairfield, Jefferson County, Alabama, beginning at the Northeast corner of the Southwest quarter of Northeast quarter of Section 13, Township 18 South, Range 4 West; thence West along the North boundary of said Southwest quarter of Northeast quarter to the point of intersection of said North boundary with the West boundary of the old right-of-way of Birmingham Electric Co.'s North Bessemer Carline, which formerly ran from the City of Birmingham, Alabama, to the City of Bessemer, Alabama; thence in a southerly direction along the said West boundary of the said old right-of-way of Birmingham Electric Co.'s North Bessemer Carline to the intersection of said West boundary of the old right-of-way of Birmingham Electric Co.'s North Bessemer Carline with the South boundary line of the Southwest quarter of the Southwest quarter of Section 13, Township 18 South, Range 4 West; thence East along the South boundary line of the Southwest quarter of the Southwest quarter of said section and along the South boundary line of the Southeast quarter of the Southwest quarter of said section to the Southwest corner of the Southeast quarter of Southwest quarter of said section; thence North along the East boundary of the Southeast quarter of the Southwest quarter of said section to the Northeast corner of Southeast quarter of Southwest quarter of said section; thence East along the South boundary of the Northwest quarter of the Southeast quarter of Section 13, to the Southeast corner of the said Northwest quarter of Southeast quarter of said section; thence North along the East boundary of said Northwest quarter of Southeast quarter of said section to the Northeast corner of said Northwest quarter of Southeast quarter of said section; thence East along the South boundary line of the Southeast quarter of Northeast quarter of said Section 13, to the point of intersection of said South boundary and the Southwest line of the Buck Property as described in the deed recorded in Deed Book 560, Page 361, in the Bessemer Office of the Judge of Probate of Jefferson County, Alabama; thence run in a Northwesterly direction along said Southwest line of said Buck Property and the projection of said Southwest line to the intersection of said projection and the East boundary line of the Southwest quarter of the Northeast quarter of said Section 13, thence North along said East boundary to the point of beginning, and to include all property in the areas inside of this new boundary line.

Such boundaries of said City other than changed by including the above described property shall remain as at present and the said territory included in said City shall remain as at present, except that in addition thereto, shall be included the above described property.

Section 2. That this Act shall become and be effective upon and after the date of its passage.  
The Bessemer Advertiser,

March 18-25, April 1-8, 1955.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElory, Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for 4 weeks,

consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: March 18, 25 April 1, 8, 1955 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,  
EDITOR-PUBLISHER.

Subscribed and sworn to before me this the 10th day of August, 1955.

W. E. MILLER,  
Notary Public.

By Messrs. Edwards (Jefferson), Nice, Perry, Vacca, Meeks and Lackey:

H. 969 (With Notice and Proof). To establish an inferior court of record to be called the Bessemer Civil and Criminal Court; to define the jurisdiction and power of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same; and to otherwise provide for said Court. Said Court to be created in the precinct or precincts lying within or partly within the City of Bessemer, Jefferson County, Alabama. Said Court to be created in lieu of all Justices of the Peace and Notary Public ex-officio Justices of the Peace in said precinct or precincts.

Local Legislation No. 2.

Notice and Proof H. 969:

#### NOTICE

Notice is hereby given that the following bill or a bill in substance as follows will be introduced and its passage urged by the Legislature of Alabama, without cost to the State.

#### A BILL TO BE ENTITLED AN ACT

To establish an inferior court of record to be called the Bessemer Civil and Criminal Court; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the

duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same; and to otherwise provide for said Court. Said Court to be created in the precinct or precincts lying within or partly within the City of Bessemer, Jefferson County, Alabama. Said Court to be created in lieu of all Justices of the Peace and Notary Public ex-officio Justices of the Peace in said precinct or precincts.

The Bessemer, Advertiser,  
April 8, 15, 22, 29, 1955.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for 4 weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: April 8, 15, 22, 29 May 6, 1955 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,  
Editor-Publisher.

Subscribed and sworn to before me this the 18 day of June, 1955.

W. E. MILLER,  
Notary Public.

By Messrs. Perry, Lackey, Edwards (Jefferson), Vacca and Nice:

H. 970 (With Notice and Proof). Relating to the municipality of the Town of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Graysville.

Local Legislation No. 2.

Notice and Proof H. 970:

#### LEGAL NOTICE

STATE OF ALABAMA,  
JEFFERSON COUNTY.

Pursuant to constitutional requirement, notice is hereby given that a bill substantially as follows will be introduced at the present session (1955 regular session) of the Legislature of Alabama for the purpose of passing a local bill for Jefferson County, incorporating into the Town of Graysville, Alabama, the territory hereinafter particularly described. Said bill will be introduced and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to the municipality of the Town of Graysville in Jefferson

County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Graysville.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the municipality of the Town of Graysville in Jefferson County are hereby altered, rearranged, and extended to include within the corporate limits of the Town of Graysville the following described territory situated in Jefferson County, Alabama, in addition to that already within the corporate limits of said town, to-wit:

Begin at the S. W. corner of Section 28, Township 16 South Range 4 West, thence easterly along the south line of said section to the S. E. corner of the West  $\frac{1}{2}$  of said section, thence northerly along the east line of said West  $\frac{1}{2}$  of said section to the N. E. corner of said West  $\frac{1}{2}$  of said section, thence continue northerly along the east line of the West  $\frac{1}{2}$  of Section 21, Township 16 South Range 4 West to a point 600.0 feet south of the N. E. corner of the S. E.  $\frac{1}{4}$  of S. W.  $\frac{1}{4}$  of said section 21, Township 16 Range 4 West, thence east 300.0 feet thence northerly and parallel to said east line of the West  $\frac{1}{2}$  of said Section 21, Township 16 Range 4 West 600.0 feet to the North line of the S. W.  $\frac{1}{4}$  of S. E.  $\frac{1}{4}$  Section 21, Township 16 South Range 4 West, thence Westerly 300.00 feet to the N. W. corner of said  $\frac{1}{4}$ — $\frac{1}{4}$  Section, thence northerly along the east line of said West  $\frac{1}{2}$  of Section 21, Township 16 South Range 4 West to a point 100 feet south of the N. W. corner of the N. W.  $\frac{1}{4}$  of S. E.  $\frac{1}{4}$  Section 21, Township 16 South Range 4 West, thence east 150.0 feet, thence northerly and parallel to the said east line of West  $\frac{1}{2}$  of Section 21, Township 16 South Range 4 West 650.0 feet, thence west 150.0 feet to the said east line of West  $\frac{1}{2}$  of Section 21, Township 16 South Range 4 West, thence northerly along the east line of said West  $\frac{1}{2}$  of Section 21, Township 16 South Range 4 West to the N. E. corner of S. E.  $\frac{1}{4}$  of N. W.  $\frac{1}{4}$  said Section 21, Township 16 South Range 4 West, thence westerly along the north line of said S. E.  $\frac{1}{4}$  of N. W.  $\frac{1}{4}$  Section 21, Township 16 South Range 4 West to the N. W. corner of said S. E.  $\frac{1}{4}$ —N. W.  $\frac{1}{4}$  Section 21, Township 16 South Range 4 West, thence northerly along the east line of the N. W.  $\frac{1}{4}$  of N. W.  $\frac{1}{4}$  of Section 21, Township 16 South Range 4 West to a point 700.0 feet south of the N. E. corner of said N. W.  $\frac{1}{4}$  of N. W.  $\frac{1}{4}$  Section 21, Township 16 South Range 4 West, thence east 200.0 feet thence northerly and parallel to the east line of said N. W.  $\frac{1}{4}$ —N. W.  $\frac{1}{4}$  of Section 21 Township 16 Range 4 West 700.0 feet to the north line of the N. E.  $\frac{1}{4}$  of N. W.  $\frac{1}{4}$  of said Section 21, Township 16 South Range 4 West, thence westerly along the north line of said N. E.  $\frac{1}{4}$ —N. W.  $\frac{1}{4}$  of Section 21, Township 16 South Range 4 West 200.0 feet to the N. E. corner of the N. W.  $\frac{1}{4}$  of N. W.  $\frac{1}{4}$  of Section 21, Township 16 South Range 4 West, thence northerly to the N. E. corner of S. W.  $\frac{1}{4}$  of S. W.  $\frac{1}{4}$  Section 16, Township 16 South Range 4 West, thence westerly to the N. W. corner of said S. W.  $\frac{1}{4}$  of S. W.  $\frac{1}{4}$  Section 16 Township 16 South Range 4 West, thence northerly along the east line of section 17, Township 16 South Range 4 West to the N. E. Corner of the S. E.  $\frac{1}{4}$  of Said Section 17 Township 16 South Range 4 West, thence Westerly to the N. W. Corner of the said S. E.  $\frac{1}{4}$  of Section 17, Township 16 South Range 4 West, thence southerly to the S. W. corner of said S. E.  $\frac{1}{4}$  of Section 17, Township 16 South Range 4 West, thence continue south along the west line of the NE  $\frac{1}{4}$  of Section 20 Township 19 South Range 4 West to the SW corner thereof, thence east along the south line of the NE  $\frac{1}{4}$  of Section 20 to the SW corner of SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 20, thence north along the west line of said SE of NE to NW corner thereof, thence east along the north line of SE of NE for a distance of 950 feet, thence south and parallel to west line of SE or NE to a point 800 feet

north of the south line of said SE of NE, thence west and parallel to north line of SE of NE for a distance of 400 feet, thence south and parallel to west line of SE of NE for distance of 800 feet to the south line of SE of NE which point is 550 feet east of the SW corner of SE of NE, thence east long the north line of NE of SE of Section 20 to the NE corner of SE  $\frac{1}{4}$  of Section 20, thence south along the east line of the SE  $\frac{1}{4}$  to the SE corner of section 20 which point is also the NE corner of Section 29 Township 16 South Range 4 West, thence continue south along the east line of Section 29 to the SE corner of SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 29, thence west along south line of SE of NE to SW corner of SE of NE, thence south along the west line of the East  $\frac{1}{2}$  of SE  $\frac{1}{4}$  Section 29 to the SW corner of SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 29, thence east along south line of SE of SE to the E corner of Section 29 and the Point of beginning.

Also begin at the SE corner of SW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  Section 29 Township 16 South Range 4 West, thence north along the east line of SW of NE to the NE corner thereof, thence west along north line of SW of NE to northwest corner thereof, thence north along the east line of the NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  to NE corner thereof, thence west along north line of NE of NW to NW corner thereof, thence south along west line of the East  $\frac{1}{2}$  of NW  $\frac{1}{4}$  of Section 29 to the SW corner of SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 29, thence east long south line of SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  and south line of SW of NE  $\frac{1}{4}$  to SE corner of SW  $\frac{1}{4}$  of NE and point of beginning.

All of the above described lands being a part of Sections 16, 17, 20, 21, 28 and 29, Township 16 South Range 4 West Jefferson County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Messenger—June 18, 25; July 2, 9, 1955.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
JEFFERSON COUNTY.

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 18, 25; July 2, 9, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 9th day of July, 1955.

MYRTLE P. LITTLE,  
Notary Public.

By Messrs. Edwards (Jefferson), Nice, Perry, Vacca, Meeks, Lackey and Kaul:

H. 971. To provide for the compensation to be paid the Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama who is elected by the people and the Assistant Deputy Circuit Solicitor of the

Tenth Judicial Circuit of Alabama by counties having a population of 500,000 or more according to the last or any succeeding decennial federal census.

Local Legislation No. 2.

By Messrs. Vacca, Meeks, Perry, Edwards (Jefferson), Lackey and Nice:

H. 972. To provide for the condemnation of a pistol, or pistols, seized under the provisions of Title 14, Section 186 of the Code of Alabama of 1940, as amended, in all counties of the State having a population of 500,000 or more according to the last or any subsequent Federal Census, to provide for the forfeiture to the State of said pistol, or pistols; the sale of said pistol, or pistols, after condemnation and forfeiture; and the distribution of the proceeds from said sale.

Local Legislation No. 2.

By Messrs. Meeks, Perry, Edwards (Jefferson), Lackey, Nice and Kaul:

H. 973. To require all county officers on a salary basis in counties having a population of four hundred thousand (400,000) or more, according to the last or any subsequent Federal Census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices; and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

Local Legislation No. 2.

By Messrs. Meeks, Nice, Edwards (Jefferson), Vacca, Perry and Lackey:

H. 974. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 200,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; To provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Local Legislation No. 2.



By Mr. Brown (Lamar):

H. 975 (With Notice and Proof). To fix the salary of the deputy solicitor of Lamar County, and to prescribe the method of payment of such salary.

Local Legislation No. 1.

Notice and Proof H. 975:

STATE OF ALABAMA,  
COUNTY OF LAMAR.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To fix the salary of the deputy solicitor of Lamar County, and to prescribe the method of payment of such salary.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The deputy solicitor of Lamar County shall receive a salary of two thousand four hundred dollars (\$2,400) a year, payable in equal monthly installments out of the treasury of the county on warrants drawn by the judge of probate of Lamar County.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

7-21 4tc

PROOF OF PUBLICATION

STATE OF ALABAMA,  
LAMAR COUNTY.

Before me the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on July 21 and 28, August 4 and 11, all in the year 1955.

JACK HANKINS,  
Publisher.

Sworn to and subscribed before me this 11 day of August, 1955.

ALTON B. HOLLIS,  
Notary Public.

By Mr. Brown (Lamar):

H. 976 (With Notice and Proof). To regulate the meetings of the county board of education of Lamar County.

Local Legislation No. 1.

Notice and Proof H. 976:

STATE OF ALABAMA,  
COUNTY OF LAMAR.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To regulate the meetings of the county board of education of Lamar County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The county board of education of Lamar County shall hold forty-eight (48) regular weekly meetings each year, at such times and places as the board may prescribe. The board may also hold special meetings on the call of the chairman or any two members of the board. The members of the county board of education of Lamar County shall receive from the public school funds of the county seven dollars and fifty cents a day and their actual traveling and hotel expenses incurred in attending meetings of the board and transacting the business of the board. The members of the board shall not be allowed pay for more than 48 days in any one year, and their expenses shall be paid in like manner as provided for the compensation of teachers.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 7-21 4tc

PROOF OF PUBLICATION

STATE OF ALABAMA,  
LAMAR COUNTY.

Before me the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on July 21 and 28, August 4 and 11, all in the year 1955.

JACK HANKINS,  
Publisher.

Sworn to and subscribed before me this 11 day of August, 1955.

ALTON B. HOLLIS,  
Notary Public.

By Mr. Fite:

H. 977. To propose an amendment to the Constitution of Alabama relative to the industrial development of Marion County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Fite:

H. 978. To amend Sections 69 and 70, Title 35, Code of Alabama of 1940, as heretofore amended, providing for the organization of the State Military Department and the compensation of the personnel thereof, and to repeal all laws and regulations and parts of laws and regulations inconsistent with the provisions of this Act.

Military Affairs.

By Mr. Cox:

H. 979 (With Notice and Proof). To establish a county court of Marshall County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties, and compensations; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of Marshall County, Alabama and in the County Court for Marshall County as created by Act approved June 3, 1953, and to provide for the transfer of certain cases pending in said County Court of Marshall County, Alabama to the equity side of the Circuit Court of Marshall County, Alabama, and to provide for the taxing of fees and costs, and to repeal Act No. 51 of the regular session of 1953, approved June 3, 1953, creating the County Court for Marshall County, and to repeal Act No. 408 of the regular session of 1953, approved August 27, 1953 abolishing the criminal jurisdiction conferred by law upon justices of the peace in Marshall County and conferring the same upon the County Court for Marshall County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 979:

#### NOTICE

#### A BILL TO BE ENTITLED AN ACT

To establish a county court of Marshall County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties, and compensations; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of Marshall County, Alabama and in the County Court for Marshall County as created by Act approved June 3, 1953, and to provide for the transfer of certain cases pending in said County Court of Marshall County, Alabama, to equity side of the Circuit Court of Marshall County, Alabama, and to provide for the taxing of fees and costs, and to repeal Act No. 51 of the regular session of 1953, approved June 3, 1953, creating the County Court for Marshall County, and to repeal Act No. 408 of the regular session of 1953, approved August 27, 1953 abolishing the criminal jurisdiction conferred by law upon justices of the peace in Marshall County and conferring the same upon the County Court for Marshall County, Alabama.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. CREATION, JURISDICTION AND POWERS. That there be and hereby is established in and for the County of Marshall, a court of law which will be called the County Court of Marshall County, Alabama and which shall be a court of record, and which shall have and exercise the jurisdiction, authority, function and powers hereinafter conferred upon it by this Act.

**Section 2. JUDGE, APPOINTMENT AND ELECTION, TERM, QUALIFICATIONS.** That as soon after the approval of this Act by the Governor as practicable the Governor shall appoint a judge for said Court, whose qualifications shall be the same as now or that may be hereafter fixed for judges of the Circuit Courts in this State and whose term of office shall begin immediately after his appointment and qualification and who shall hold office until the next general election for any state officer and until his successor shall have been elected and qualified, and thereafter such judge shall be elected at the time and for the same term of office as circuit judges are elected in the state. The judge of said court so appointed or elected as herein provided shall before entering upon the duties of his office take the oath of office as now required by law by the judges of circuit courts. The judge of said court shall devote his full time to the duties of his office.

**Section 3. VACANCIES, HOW FILLED; REMOVAL.** Vacancies in the office of the judge of said court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the constitution of this state. Said judge may be removed from office in the manner now provided by law for the removal of circuit judges.

**Section 4. SALARY OF JUDGE.** That the judge of said court shall receive a salary of Five Hundred Dollars per month payable out of the general funds of the County at the end of each month, his signed receipt being required.

**Section 5. CLERK OF COURT, BOND, DEPUTIES; POWERS, DUTIES.** That the Clerk of the Circuit Court of Marshall County shall be ex-officio clerk of said court and shall have the powers and discharge the duties which shall devolve upon the clerks of the Circuit Courts and whose bond shall be not less than \$10,000, and he shall be subject to same pains and penalties with regard to the duties of the office, and except as otherwise provided herein shall be entitled to the same fees, as are now, or may hereafter be allowed to Circuit Clerks of Alabama, and the same shall be collected as such fees and costs are collected in the circuit courts; and the deputy clerks of the Circuit Court of Marshall County shall be ex-officio deputy clerks of the County Court of Marshall County, Alabama and exercise the same powers and perform the same duties as are exercised and performed in the Circuit Court.

**Section 6. DOCKETS OF COURT.** The Clerk of said court must, on the fifth day preceding the holding of any regular term of court as fixed in this Act or as may be fixed by an order of the Court properly entered of record on its minutes, prepare a docket of all criminal and civil cases pending in said court at that time and which will be heard, called, or tried at such next regular term of said court and must mail to each attorney of record in any case then pending in said court a copy of said docket on at least five days preceding the holding of said term of said court, and he shall also mail to each member of the Bar of said county such docket at said time, and no case shall be called for trial or tried, over objection of any party to such case, unless this section of this Act is complied with.

**Section 7. SUPPLIES.** That the clerk, with the approval of the judge of said court, is hereby authorized to purchase all necessary furnishings, records, stationery, and supplies for the equipment and maintenance of said court, and the same shall be paid out of the general funds of the County upon warrants drawn by the judge and signed by the clerk.

**Section 8. SOLICITOR OF COURT.** That the Circuit Solicitor of the 27th Judicial Circuit of Alabama shall represent the State in all

criminal cases in said court, and be ex-officio solicitor of said court and shall receive no compensation therefor.

**Section 9. SOLICITOR'S FEES, PLEA OF GUILTY.** That there shall be taxed and collected as cost in all criminal cases in said court a Solicitor's fee which shall be in the same amount as now collected in Circuit Courts of this State in like cases, for the same offense and when collected shall be paid by the Clerk into the general funds of the County, and there shall be taxed and collected as costs on all misdemeanors or cases in said court a solicitor's fee which shall be in the same amount as is now taxed and collected for misdemeanors in county courts of this State in like cases for the same offense and when collected shall by the Clerk be paid into the general funds of the County and the provisions of Section 86 of Title 11 of the Code of 1940 as amended shall apply; provided, however, that no solicitor's fees shall be taxed or created in any case in this court where the defendant is charged with violating the rules of the road or legal and reasonable rules or regulations governing the use of motor vehicles upon the public highways in this state or with the violation of the Game & Fish Laws or rules and regulations of this state relating thereto, if the defendant pleads guilty in this court.

**Section 10. SHERIFF: DUTIES, COMPENSATION.** The Sheriff of Marshall County, Alabama shall, in person or by a deputy or deputies appointed by him, be required to attend upon the said court, and preserve order, and execute all writs or process, and perform such other duties, in all respects as in the Circuit Courts of this State, and except as otherwise provided herein shall receive the same fees, commissions and compensation as allowed for like or similar services performed by sheriffs in the Circuit Court.

**Section 11. COURT REPORTER.** That the judge of said court shall by order spread upon the minutes appoint a competent person as the official reporter for said court who may also be the official reporter for the Circuit Court, and such official reporter, when so appointed, may be removed by the judge of said court at his discretion and his qualifications, duties and powers shall be the same as are now provided by law for the reporters of the Circuit Courts of the state and he shall receive the same rate of compensation for transcribing the testimony or other proceedings as are now provided for said Circuit Court reporters, but shall as a salary receive One Hundred Fifty Dollars per month payable out of the general funds of the County at the end of each month, his signed receipt being required. The services of said reporter when not actually working under the direction of the judge of said court shall be available to the Solicitor in the discharge of his duties in this court.

**Section 12. STENOGRAPHER'S FEES.** That in all cases in said court, a stenographer's fee of One Dollar and fifty cents shall be charged and collected and by the Clerk paid into the general funds of the County.

**Section 13. SEAL OF COURT.** That the court shall adopt a seal which shall be in the custody of the Clerk of said court.

**Section 14. PLACE OF HOLDING COURT.** That said court shall be held at the two court houses of Marshall County, Alabama, and shall be open at all times for the trial of cases and transaction of business. In case of sickness or disqualification of the judge of said court the law applicable to the appointment and service of special judges in the circuit courts shall apply. The judges of said court shall be subject to the same penalties for failure to attend upon the court as Circuit Judges of this

State. The judge of said court shall keep an office in the courthouse of Marshall County, at Guntersville, and it shall be the duty of the Court of County Commissioners of Marshall County to provide such an office, and supply the same with necessary furnishings, fixtures, stationery, etc.

**Section 15. SESSIONS OF COURT.** That a session of said court shall be held at the courthouse at Guntersville on the first Monday of each month of each year and may continue in session for one week or until the business of said court is disposed of and a regular session of said court will also be held on the second Monday of each month of each year at the court house at Albertville and may continue for one week or until the business of said court is disposed of. Special sessions must be called by the Judge of the court at any time the business of the court requires. There may be such temporary adjournments of said court as may be deemed expedient and proper by the Judge thereof and he may, by order fix additional times for the holding of said court. If said cases for violation of the rules of the road or laws regulating the use of motor vehicles upon the public highways of this State congest, or tend to congest, the docket of said court, it shall be the duty of the court to set a separate date for the trial of such cases not to exceed one day each week at the place of holding of said court, and to keep the docket from becoming congested.

**Section 16. TERRITORIAL JURISDICTION, BRANCHES.** That said court is divided into two territorial jurisdictions, one to be known as the Albertville Branch of said court and the other the Guntersville Branch of said court. The territorial jurisdiction of the Albertville Branch of said court, both civil and criminal, shall be the same, except as in this Act otherwise provided, as the jurisdiction now conferred by law on the Albertville Branch of the Circuit Court of Marshall County, Alabama. The territorial jurisdiction of the Guntersville Branch of said court, both civil and criminal, shall be the same, except as in this Act otherwise provided, as the jurisdiction now conferred by law on the Guntersville Branch of said Circuit Court.

**Section 17. TRANSFER OF CAUSES.** That should a suit or cause of action be brought in either branch of said court and it should develop either on plea in abatement, or motion to transfer that said cause of action was filed in the wrong branch of said court, then the court of its own motion may, or on the motion of either party shall transfer said suit or cause of action to that branch of the court having original jurisdiction thereof for trial as provided by this Act, but if no such plea in abatement or motion is made it is waived if not transferred.

**Section 18. JUDGMENTS IN FORMER COUNTY COURT.** That all judgments heretofore rendered in the County Court for Marshall County, Alabama, which is hereby abolished, shall remain valid judgments and valid liens where properly recorded as provided by law, and all records of said court, together with such judgments, are hereby transferred into and made a part of the records of the court herein created, and execution on any valid judgment not heretofore paid that was rendered by said abolished court may issue as otherwise provided for by law by the Clerk of this court returnable to this court.

**Section 19. CIVIL JURISDICTION, LIMITS.** Said court shall have original jurisdiction in civil cases in all matters where the amount involved does not exceed Two Thousand Five Hundred Dollars, and in all actions of ejectment, and original jurisdiction in actions of unlawful detainer and forcible entry and unlawful detainer, and trial of the rights to property, regardless of the amount involved, or the value of the property.

Section 20. JURISDICTION, ACTIONS FOR POSSESSION OF LAND. Exclusive jurisdiction of actions for the possession of lands under Chapter 3 of Title 31 of the Code of Alabama of 1940, forcible entry, unlawful detainer, and actions in the nature of unlawful detainer is hereby given to said court. All writs under Chapter 3 of Title 31 and affidavits made with reference thereto shall be made before and issued by the Clerk of said court and should the defendant make and file a counter-affidavit provided for by Section 30 of Title 31 of the Code of Alabama of 1940, then the procedure fixed for the trial of said case before a Justice of the Peace shall govern in this court and the same shall stand for trial on the third day after the filing of said affidavit with the Sheriff or Deputy serving the process, and the procedure set up in Chapter 3 of Title 31 of the Code of Alabama of 1940 shall govern in this court. Appeals taken from judgments rendered in actions for the possession of lands under Chapter 3 of Title 31 of the Code of Alabama of 1940 shall be to the Circuit Court, and shall be governed by the provisions of said chapter of said title.

Section 21. APPEALS FROM INFERIOR COURTS. That this court shall have exclusive jurisdiction of all cases appealed from Justice of the Peace courts, Mayor's Courts, Recorder's Courts, and all other inferior courts of Marshall County, and all original mesne processes, writs, notices, etc., shall be executed instantler, to be returnable immediately upon the execution thereof, by the officers receiving the same; and all cases so appealed shall stand for trial at any time after five (5) days notice of the suing out of such appeal to the adverse party, the notice to be given as now required by law.

Section 22. JURISDICTION, P L E A D I N G, P R A C T I C E. That Chapters 6, 10, 11, 12, 20, 27 and 35 of Title 7 of the Code of Alabama of 1940, as amended, and Chapter 6 of Title 15 of the Code of Alabama of 1940, as amended, insofar as they are applicable to the Circuit Courts of this State are also applicable and shall be deemed to be the law governing such matters in this court insofar as they do not conflict with the provisions of this Act and this court shall also have exclusive jurisdiction of violations under Chapter 7 of Title 13 of the Code of Alabama of 1940, as amended, and Article 3 of Chapter 4 of Title 34 of the Code of Alabama of 1940, and jurisdiction of Chapter 35 of Title 7 of the Code of Alabama of 1940 when the execution, attachment or other like writ originally issued from this court, is levied on the property involved in such claim suit.

Section 23. JURISDICTION IN WILL CONTESTS. That in all cases in the Probate Court of Marshall County, Alabama wherein a will is sought to be probated, the filing of any contest without a demand for trial by jury shall automatically transfer the trial of such contest to the County Court of Marshall County, Alabama and it shall be the duty of the Judge of Probate to deliver, immediately, to the clerk of said court all papers filed in said contest, and the same shall stand for trial as any other civil case. That all notices shall be issued by the clerk of said court as are now required to be issued by the Judge of Probate in the contest of wills, provided, however, that either party desiring a jury trial may file a written demand therefor at any time within thirty (30) days from the date of the filing of said cause in the County Court of Marshall County, Alabama or at the time said cause is first called for trial if called within said time in which event the Clerk shall at once transfer the case to the Circuit Court of Marshall County where it shall be placed upon the jury docket. That the final judgment entry of said contest shall be certified by the Clerk of said court to the Judge of Probate and by him recorded in the Probate Court minutes and acted upon as though it had been rendered in the Probate Court.

Section 24. **POWERS OF JUDGE: EXTRAORDINARY REMEDIES.** The judge of said court shall have the power to issue writs of habeas corpus, prohibition, certiorari, quo warranto, and all other special and extraordinary writs, except such as are peculiar to a court of chancery; and the rules of practice and procedure in the Circuit Courts of Alabama as are now or which may hereafter be provided by law, except as otherwise provided in this Act, shall prevail in the County Court of Marshall County, Alabama and the judge thereof shall have the same power and authority including punishment for contempt as is or may hereafter be conferred upon judges of the Circuit Courts of Alabama unless otherwise provided in this Act.

Section 25. **JURY TRIAL; EFFECT OF DEMAND FOR, IN CERTAIN CASES.** All civil cases originating in said court shall be tried by the court without a jury, but the defendant or claimant in any case involving \$20.00 or more and not arising under Chapter 3 of Title 31 of Code of 1940 may within the time allowed for pleadings, file with the Clerk a written demand for trial by jury, and in criminal cases the defendant may endorse such demand upon his appearance bond at the time of making it or may file a written demand within fifteen days after his arrest, whereupon the Clerk shall at once transfer the case to the Circuit Court of Marshall County where it shall be placed upon the jury docket.

Section 26. **JURY TRIAL; EFFECT OF DEMAND FOR, IN OTHER CASES.** All cases brought to said court by appeal or certiorari from inferior courts, shall be tried by the court without a jury, but a written demand for trial by jury may be filed in the cause by the party suing ~~out the appeal~~ or certiorari within fifteen days after suing out the same, or filed by the opposite party in all civil cases within fifteen days after he has been served with notice of appeal or certiorari; unless said case is sooner called for trial in which case the demand shall be made at the first call of said case, whereupon the Clerk shall at once transfer the case to the Circuit Court of Marshall County where it shall be placed upon the jury docket.

Section 27. **TRANSFER TO EQUITY COURT.** That civil causes may be transferred from the County Court of Marshall County, Alabama to the Circuit Court in equity for the same reasons, in the same manner and under the same rules and regulations as is now provided for the transfer of causes from the law side of the Circuit Court to the equity side of said court.

Section 28. **AFFIDAVITS AND WARRANTS.** Prosecutions for misdemeanors committed in Marshall County may be instituted in this court by making an affidavit before the Solicitor of said court, or the Clerk thereof or any of his deputies or any clerk or recorder or acting recorder of any municipality; the writ on said affidavit to be issued by the officer taking such affidavit, and when the defendant is arrested on said affidavit, said case shall go on the docket for trial as herein provided.

Section 29. **BASTARDY PROCEEDING.** That said court shall have exclusive and original jurisdiction of all bastardy cases and bastardy proceedings in said county which may be based upon affidavit as provided by law at the present time, such affidavit to be made before the Clerk or any other officer authorized herein to issue warrants returnable to said court. This court shall try the case and the findings shall become final unless the defendant appeals, whereupon the proceedings shall then be certified to the Circuit Court for trial de novo as is now provided in such cases from preliminary hearings in justice court. Unless the defendant appeals, this court shall fix the



amount defendant is required to pay each year for ten years as now provided by law and require defendant to make the bond now required by law conditioned to make such payments or sentence the defendant for failure to make such bond, all as is now provided by law on a final conviction for bastardy in Circuit Court.

**Section 30. JURISDICTION, MOTOR VEHICLE LAWS.** That this court shall have original and exclusive jurisdiction of the prosecution of persons charged with driving motor vehicles upon the highways of this State while intoxicated or while an habitual user of narcotic drugs.

**Section 31. PRELIMINARY PROCEEDINGS.** The Judge of said court shall also make examination of all matters of preliminary proceedings, as provided in Article 3 of Chapter 6 of Title 15 of the Code of Alabama, of 1940, arising in said county. No other court or officer shall have authority to hold preliminary hearings in said county, and in such preliminary proceedings the Judge of the said court is required to have the testimony taken down in writing by the court reporter who shall then transcribe the testimony and certify to it as court reporters are required to do in Circuit Courts and have the compensation in such case for so taking and transcribing such testimony. When transcribing the original of such testimony shall be filed with the Clerk and become a part of the record in said cause and kept on file in the office of the Clerk. All warrants charging the commission of a felony shall be issued by the Clerk or other officer authorized to issue warrants for misdemeanors returnable to this court.

**Section 32. SEARCH WARRANTS.** Any officer authorized by this Act to issue warrants for misdemeanors shall have authority to take affidavits and issue search warrants.

**Section 33. FORFEITURES, JUDGMENTS THEREON.** That if for any reason, a forfeiture be taken on any bond on the criminal side of said court, the court may order an alias capias, and unless the party or parties, against whom the forfeiture is taken, shall appear and show cause, when the forfeiture is returnable, why the forfeiture should be set aside, then the court is hereby authorized and empowered to make the judgment final, for all or such portion of said bond as in its judgment should be rendered thereon.

**Section 34. FINES AND FORFEITURES.** That all fines and forfeitures accruing from the prosecution and trial of criminal cases in this court shall be paid into the fine and forfeiture fund of Marshall County.

**Section 35. FEES, COSTS, COMMISSIONS.** That fees, costs, commissions, mileage, per diem, and other compensation allowed to the officers and witnesses of this court, unless otherwise provided herein, shall be payable in the same manner, in the same amounts, and from the same funds as the same are now paid to such officer and witnesses for like services in the Circuit Courts.

**Section 36. TRIAL TAX.** That a fee of Three Dollars, in addition to the other cost, shall be taxed in each criminal or quasi criminal case against the defendant on conviction or against the prosecutor, if he should be taxed with the cost as provided by law, as a trial tax, and if not presently paid may be collected by execution or by sentence to hard labor and when collected shall be paid into the general funds of the County. That a fee of Three Dollars, in addition to the other cost, shall be taxed in each civil case as a trial tax, the same to be collected as other costs taxed in said case and may be collected by execution and when collected shall be paid into the general funds of the County. All

monies herein required to be paid into the general funds of the County shall be credited to the General Fund of said county.

**Section 37. LIMITATION OF COST.** That there shall be no trial tax collected and the cost of the Clerk and Sheriff shall not exceed the cost that a Justice of the Peace or arresting officer could tax and/or collect in Justice Court where the defendant in said case is charged with a misdemeanor committed within said county involving violation of the Game and Fish Laws and legal rules or regulations regulating the same, and of cases for a misdemeanor involving the violation of the laws or legal rules of the road, except driving while intoxicated, whether the rules of the road be a violation of the statutes or a legally adopted or promulgated rule and regulation governing the use of motor vehicles upon the public highways in this state, whether the defendant pleads guilty or not.

**Section 38. APPELLATE PROCEDURE.** That the Supreme Court and Court of Appeals of this State shall have appellate and supervisory jurisdiction over said court, and the judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the Circuit Courts of the State and the judges thereof, and except as otherwise herein provided appeals may be taken from the orders and judgments of said court to the Supreme Court and Court of Appeals in the same manner, and within the same time, as appeals are now taken from the orders and judgments of the Circuit Courts of the State.

**Section 39. APPEALS, TRANSCRIPTS.** That all laws and rules governing appeals, perfection of appeals, settling, signing and establishing bills of exceptions or transcripts of testimony in lieu of bills of exceptions on appeals to the Court of Appeals or the Supreme Court from the Circuit Courts in this State shall be applicable and apply to all appeals taken to the Court of Appeals or Supreme Court from this court.

**Section 40. REPEAL OF 1953 ACT.** That the County Court for Marshall County as created by Act approved June 3, 1955 shall from and after the passage and approval of this Act no longer exist and no officers of this State shall collect any fees or salary because of said court or for services rendered in or to said court. All cases pending in said County Court for Marshall County when this act becomes a law, shall immediately become pending upon the docket of this court as though originally brought in said court, and shall be called for trial at which time any defendant whose case has been pending in said County Court for Marshall County may demand a trial by jury as herein provided. Said Act of 1953 is hereby repealed.

**Section 41. REPEALING ACT ABOLISHING CRIMINAL JURISDICTION OF JUSTICES OF PEACE.** That Act No. 408 of the regular session of the Legislature of 1953, approved August 27, 1953, abolishing the criminal jurisdiction conferred by law upon justices of the peace in Marshall County and conferring the same upon the County Court for Marshall County, Alabama, be and the same is hereby repealed.

**Section 42. LAWS REPEALED.** That all laws, both local and general, in conflict with this Act, are hereby repealed.

**Section 43. UNCONSTITUTIONALITY.** That if for any reason, any section, provision or clause of this Act shall be held to be unconstitutional or invalid, then that fact shall not destroy the constitutionality of this Act except as to that clause or section.

**Section 44. EFFECTIVE DATE.** That the provisions of this Act shall take effect from and after the approval thereof by the Governor or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA,  
COUNTY OF MARSHALL.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob H. Riseling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Boaz Leader, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1955.

BOB H. RISELING,

Sworn to and subscribed before me this August 11, 1955.

M. F. LUSK,  
Notary Public.

By Mr. Cox:

H. 980 (With Notice and Proof). Requiring that all Justices of the Peace and all Notaries Public-Ex Officio Justice of the Peace or other officer trying misdemeanor criminal cases in Marshall County, Alabama, other than in the County of Circuit Courts of said County shall be required to report to the Clerk of the Circuit Court of said County, on forms furnished by said Clerk on the first day of each month all fines and forfeitures assessed or collected in such courts, showing the name of the defendant, the number of the case on the docket of such officer, the charge, the date of conviction or making final of such forfeiture, together with the amount thereof and showing the amount remitted, without any deductions therefrom for any reason whatsoever; and to require such officer to produce in the office of the Clerk of said Court at such times of making such report and/or remittance their dockets to be audited by such Clerk; to require such officer to also deliver to said Clerk such dockets one week in advance of the regular meeting of the Grand Jury of said County to be by said Clerk delivered to said Grand Jury; making a violation of this Act a misdemeanor and fixing penalties for the violation of this Act; and providing that all such fines and forfeitures collected by said Clerk from such officer, or any of them, shall be by said Clerk paid into the Fine and Forfeiture Fund of Marshall County, Alabama, regardless of the offense which defendant was charged with, and fixing the compensation to said Clerk for performing his duties under the provisions of this Act; to repeal all laws in conflict with this Act; providing when this Act shall take effect.

Local Legislation No. 1.

Notice and Proof H. 980:

## NOTICE

## A BILL

## TO BE ENTITLED

## AN ACT

Requiring that all Justices of the Peace and all Notaries Public-Ex Officio Justice of the Peace or other officer trying misdemeanor criminal cases in Marshall County, Alabama, other than in the County of Circuit Courts of said County shall be required to report to the Clerk of the Circuit Court of said County, on forms furnished by said Clerk on the first day of each month all fines and forfeitures assessed or col-

lected in such courts, showing the name of the defendant, the number of the case on the docket of such officer, the charge, the date of conviction or making final of such forfeiture, together with the amount thereof and showing the amount remitted, without any deductions therefrom for any reason whatsoever; and to require such officer to produce in the office of the Clerk of said Court at such times of making such report and/or remittance their dockets to be audited by such Clerk; to require such officer to also deliver to said Clerk such dockets one week in advance of the regular meeting of the Grand Jury of said County to be by said Clerk delivered to said Grand Jury; making a violation of this Act a misdemeanor and fixing penalties for the violation of this Act; and providing that all such fines and forfeitures collected by said Clerk from such officer, or any of them, shall be by said Clerk paid into the Fine and Forfeiture Fund of Marshall County, Alabama, regardless of the offense which defendant was charged with, and fixing the compensation to said Clerk for performing his duties under the provisions of this Act; to repeal all laws in conflict with this Act; providing when this Act shall take effect.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. That all Justices of the Peace and all Notaries Public-Ex Officio Justice of the Peace, or other officer, trying misdemeanor criminal cases in Marshall County, Alabama, other in the County or Circuit Courts of said county be and are hereby required to the Clerk of the Circuit Court of said County on forms to be furnished by said Clerk, on the first day of each month all fines and forfeitures assessed or collected in such courts showing the name of the defendant, the number of the case on the docket of such officer, the charge, the date of conviction or making final of such forfeiture, together with the amount thereof and showing the amount remitted, without any deduction therefrom for any reason whatsoever, and to require such officer to produce in the office of the Clerk of said court at such times of making such report and/or remittance their dockets to be audited by such Clerk.

Section 2. That all such officers named in Section 1 hereof be and they are hereby required to also deliver to said Clerk their said dockets one week in advance of the regular meeting of the Grand Jury of said County to be by said Clerk delivered to said Grand Jury for its inspection.

Section 3. That any officer violating any provisions of this Act shall be guilty of a misdemeanor.

Section 4. That all fines and forfeitures collected by said Clerk from such officers, or any of them, named in Section 1 of this Act shall be by said Clerk of said Court paid into the Fine and Forfeiture Fund of Marshall County, Alabama, regardless of the offense with which the defendant was charged.

Section 5. That the Clerk of the Circuit Court of said County shall be entitled to and shall deduct therefrom five percent (5%) of the amount of all such fines and forfeitures so collected and remitted by him as a commission to the Clerk for collecting and remitting the same to the County Treasury, and in addition thereto he shall be entitled to deduct therefrom, for the compensation to said Clerk, the sum of \$1.00 per case out of the fine assessed or forfeiture collected for auditing the dockets of said officer making such remittance to said Clerk.

Section 6. That the Clerk of the Circuit Court of said County shall, immediately upon the filing of said report of such books with him by such officer named in Section 1 of this Act, audit said books of

said officer and shall note on each case that he has audited the records in that case and finds the same to be correct or incorrect as the case may be and if incorrect he shall notify the proper authorities for their action thereon.

Section 7. That all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

Section 8. That this Act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.

7-21-4tc

#### PROOF OF PUBLICATION

STATE OF ALABAMA,  
COUNTY OF MARSHALL.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob H. Riseling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Boaz Leader, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, August 11, all in the year 1955.

BOB H. RISELING

Sworn to and subscribed before me this August 11, 1955.

MARION F. LUSK,  
Notary Public.

By Mr. Harrison:

H. 981. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Shelby County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Harvey and Pirkle:

H. 982. To amend Section 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Ways and Means.

By Messrs. deGraffenried, Nice, Martin, Brown (Lamar), Davis, Hawkins, Harrison, Kendall, Perry, Roberts, Hare, Ward, Lee (Barbour), Mathews, Hain, Molette, Steagall, Stembridge, Dawkins, Callahan, Dement, Simon, Ramey, Lackey, Reynolds and Meeks:

H. 983. To amend further Section 249 of Title 55, Code of Alabama (1940), which fixes the salary of the state geologist.

Ways and Means.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Roberts:

S. 317. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Also:

By Mr. Leonard:

S. 315. Relating to counties having a population of not less than 56,500 nor more than 72,500: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

By Mr. Allen:

S. 294. Relating to counties having a population of not less than 47,000 nor more than 52,000: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

By Mr. Robison:

S. 314. To authorize the governing body of any county in the State of Alabama having a population of at least 125,000 people and not more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and in-

digent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

Also:

By Mr. Roberts:

S. 275. Relating to counties having a population of not less than 75,000 nor more than 130,000: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 317. Local Legislation No. 1.
- S. 315. Local Legislation No. 1.
- S. 294. Local Legislation No. 1.
- S. 314. Local Legislation No. 1.
- S. 275. Local Legislation No. 1.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H.725. Applying to each county in this state which is now levying or may hereafter levy a special annual ad valorem tax the proceeds from which are or may be required to be used exclusively as a sanitary fund; authorizing each such county from time to time to sell and issue in addition to all other securities which it may now or hereafter be authorized to issue, general obligation interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring, providing, constructing, enlarging, or extending a sanitary sewer system or systems, or any part or parts thereof; authorizing the issuance of refunding warrants and refunding certificates of indebtedness for the purpose of retiring any such warrants and certificates of indebtedness; authorizing the pledge and use, for payment of the principal of and interest on such warrants and certificates of indebtedness, of so much as may be necessary for such purpose of the proceeds from such tax, and specifying the effect and priority of any such pledge; and providing that such warrants and certificates of indebtedness shall be eligible for the investment of trust funds.

Also:

H. 561. To authorize and provide for the establishment of a fund to be designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, to be drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and to provide that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such fund for such purpose.

Also:

H. 756. To provide further for the government of Marshall County; to abolish the Court of County Commissioners of Marshall County and to create in lieu thereof the Board of Revenue and Control of Marshall County; to provide for the election of the members of the board and to prescribe their qualifications, terms, and compensation; and to provide for the organization, powers, jurisdiction, and duties of the board, and the authority and duties of its individual members.

Also:

H. 759. To provide additional compensation for the county solicitor, deputy circuit solicitor, or assistant circuit solicitor in all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 760. To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

Also:

H. 761. To amend Section 1 of Senate Bill No. 396 of the Acts of the Legislature of Alabama of 1935, approved September 9, 1935, entitled, "An Act, to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations, and Refiners, selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective."



Also:

H. 754. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Lee County.

Also:

H. 745. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Butler County.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Roberts:

S. 322. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

Also:

By Mr. Allen:

S. 300. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

Also:

By Mr. Robison:

S. 319. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 322. Local Legislation No. 1.

S. 300. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

S. 319. Local Legislation No. 1.

#### H. 757 RE-REFERRED

The motion of Mr. Grouby to re-refer the bill,

H. 757. To amend Title 55, Chapter 7, Article 1, of the Code of Alabama of 1940, as amended, by repealing all of Article 1, of the said

Title 55, Chapter 7, and substituting in lieu thereof a new Article 1, which shall read as follows: Title 55, Chapter 7, Article 1.

was adopted.

Yeas 38; Nays 37.

**Yeas:**

Mr. Speaker	DeSear	Kendall	Money
Albea	Edwards (Escambia)	Killough	Nettles
Ashworth	Ferrell	Kirkham	Oakley
Bassett	Grouby	Law	Payne
Bradford	Hare	Locke (Choctaw)	Shumate
Brown (Lee)	Harrison	McClendon	Stokes
Cornett	Harvey	McKay	Taylor
Cox	Holliman	McLendon	Tyson
Crook	Huddleston	Mathison	Wood
Dement	Jenkins		

—38

**Nays:**

Messrs.	Gilchrist	Lee (Lawrence)	Richardson
Adams	Gregory	Locke (Perry)	Simon
Boyd	Hain	McNider	Solomon
Brewer	Hall	Martin	Speaks
Broadfoot	Haltom	Molette	Stembridge
Callahan	Hawkins	Nolen	Thomas
Davis	Kaul	Perry	Vacca
Dawkins	Kelly	Pirkle	Ward
deGraffenried	Lackey	Ramey	Windle
Edwards (Jefferson)	Lee (Barbour)		

—37

And the Speaker re-referred the bill, H. 757, to the Standing Committee on Ways and Means.

**RESOLUTION**

The following resolution was introduced:

By Mr. Summerlin:

H.J.R. 64. WHEREAS, the Federal Social Security Act provides for grants to states for aid to dependent children, and defines the term "dependent child" to include a needy child under the age of sixteen, or under the age of eighteen if regularly attending school, and

WHEREAS, children between sixteen and eighteen years of age who are not regularly attending school are thus not eligible for aid to dependent children, and

WHEREAS, some of these children between sixteen and eighteen years of age are incapable of attending school because of some permanent physical or mental disability, and are thereby not eligible for aid to dependent children through no fault of their own, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING:

1. The Congress of the United States is hereby memorialized to enact legislation necessary to make needy children between sixteen and eighteen years of age, who are incapable of regularly attending school

because of some permanent physical or mental disability, eligible for aid to dependent children under the provisions of the Federal Social Security Act to the same extent that children under sixteen years of age are eligible.

2. The clerk of the House of Representatives is directed to transmit a copy of this resolution to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Alabama delegation in Congress.

On motion of Mr. Summerlin the rules were suspended and H.J.R. 64 was adopted.

#### NOTICE IN WRITING

Mr. Law offered the following Notice in Writing:

On the next Legislative day of this House I will make a motion to remove House Bill 118 from the adverse calendar to the regular calendar.

#### NOTICE IN WRITING BY MR. LAW

Received, read and ordered filed.

#### H. 757 RE-REFERRED

The motion of Mr. Dawkins to suspend the rules in order for the Standing Committee on Ways and Means to make a report was adopted.

Mr. Dawkins moved to re-refer the bill, H. 757, and the motion was adopted.

The Speaker re-referred the bill, H. 757, to the Standing Committee on Transportation.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 87. To raise revenue: levying an additional privilege license tax upon every person, firm, or corporation who engages in the business of renting rooms, lodgings, or accommodations to transients; providing for the collection and enforcement of the tax, and for the distribution of the revenue produced thereby.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 464. To provide for the compensation of the Court Reporter of the Law and Equity Court of Franklin County, Alabama, and enlarge the duties of such office.

Also:

H. 763. To amend further Act No. 445, H. 858, approved September 23, 1947 (Local Acts of 1947, p. 303), which established the Court of Common Pleas of Autauga County.

Also:

H. 770. Relating to Colbert County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

Also:

H. 771. Proposing an amendment of the Constitution of Alabama, as amended, relating to the powers of municipalities in Fayette County.

Also:

H. 776. To designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election.

Also:

H. 777. To provide for the relief of Evelyn Louise Brewer, out of the General Funds of Jefferson County, Alabama.

Also:

H. 782. Proposing an amendment to the Constitution of Alabama relative to the filling of vacancies in the office of judge of the circuit court in Jefferson County.

Also:

H. 785. To propose an amendment to the Constitution of Alabama, relative to the imposition of an additional county tax on taxable property in Limestone County.

Also:

H. 795. To alter, rearrange, and extend the boundary line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Also:

H. 796. To apply only in those Counties having a population of not less than 94,000 nor more than 134,000, according to the latest or any subsequent Federal Decennial Census and to provide further for the disposition of the proceeds of the sale of contraband or forfeited property and the distribution and disposition of the funds realized from such sales.

Also:

H. 798. To apply in all counties having a population of not less than 63,500 nor more than 72,500 inhabitants, according to the last or any subsequent federal decennial census: Fixing the compensation of jury commissioners in all such counties.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 244. To amend further Section 752 of Title 51, Code of Alabama (1940), and to define further the term "wholesale sale" or "sale at wholesale" within the meaning of the sales tax act.

Also:

H. 300. Relating to the education of exceptional children; providing that county and city boards of education may provide education for exceptional children; authorizing the State Board of Education on the recommendation of the State Superintendent of Education to establish rules and regulations relating to allocation of state funds, certification of teachers, size of classes, eligibility of pupils to receive instruction, training and experience required for professional personnel other than teachers, and other regulations which are necessary to the effective operation of an educational program for exceptional children; authorizing the employment of qualified supervisory personnel in the State Department of Education; authorizing the expenditure of Minimum Program funds and local school funds for the education of exceptional children beginning with the age of three years; repealing all laws and parts of laws in conflict with this Act.

J. E. SPEIGHT,  
Secretary,

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has reconsidered and has again passed the Bill:

H. 473. Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

The Governor's veto to the contrary notwithstanding, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 18, Nays 11.

And said Bill, HB 473, together with the Governor's Message, is herewith returned to the House.

J. E. SPEIGHT,  
Secretary,

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

By Messrs. Ward and Brown (Lee):

H. 783. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special ad valorem tax for public school purposes in the City of Auburn.

J. E. SPEIGHT,  
Secretary,

## SENATE MESSAGE

On motion of Mr. Brown (Lee) the House concurred in and adopted the Senate substitute for the bill, H. 783, said Senate substitute being as follows:

Substitute for H.B. 783:

A BILL  
TO BE ENTITLED  
AN ACT

To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special ad valorem tax for public school purposes in the Cities of Auburn and Opelika.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part thereof when approved by the qualified electors and proclaimed by the Governor as prescribed by law:

PROPOSED AMENDMENT

"Both the City of Auburn and the City of Opelika shall have, in addition to the power to levy and collect ad valorem taxes at the rate of one and one-half per centum (1-1/2%) as provided for in Amendment VIII of this Constitution, the further power to levy and collect each year an additional tax or taxes not exceeding one-half per centum (1/2%) in any one year on the property situated therein based on the valuation of such property as assessed for state taxation during the preceding year; provided, however, that all such additional ad valorem tax or taxes levied and collected by either the City of Auburn or the City of Opelika shall be levied and collected solely for public school purposes and may be pledged to the payment of the principal of and interest on bonds, warrants or other evidences of indebtedness issued for public school purposes, which pledges shall take priority as provided in such bonds, warrants or other evidences of indebtedness, and provided, further, that before any such additional tax or taxes may be so levied and collected a majority of the qualified electors of the City of Auburn or the City of Opelika, as the case may be, voting at an election called for that purpose shall vote in favor of the levy thereof. Each election held under the provisions hereof shall be ordered, held, canvassed and may be contested in the same manner as is or may be provided by the law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such elections shall specify that the proposed additional rate of taxation shall be authorized for public school purposes, and shall contain the words "For . . . % additional rate of taxation;" and "Against . . . % additional rate of taxation"; the additional rate of taxation proposed to be shown in the blank space provided therefor. The voter shall record his choice, whether for or against the additional rate shown, by placing a cross mark before or after the words expressing his choice, but such choice may be recorded on voting machines if voting machines are used at such election. The proceeds of any such additional one-half per centum (1/2%) ad valorem tax or taxes so authorized at any such election shall be used only for public school purposes, as authorized at such election, and may be pledged to the payment of the principal of and interest on bonds, warrants, or other evidences of indebtedness issued for public school purposes, which pledges shall take priority as provided in such bonds, warrants or other

evidences of indebtedness. Elections to authorize the levy of such additional tax or taxes may be held as often as ordered by the governing body of the City of Auburn or the City of Opelika, but when a proposition is submitted to the electors to levy such additional tax for such public school purposes in such City, and such proposition is defeated, then no second election in such City shall be held for one year thereafter."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current regular session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Yeas 79; Nays 0.

#### Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Nice
Adams	Edwards (Escambia)	Kelly	Nolen
Albea	Edwards (Jefferson)	Kendall	Oakley
Ashworth	Faulk	Killough	Payne
Bassett	Ferrell	Kirkham	Perry
Boyd	Franklin	Lackey	Pirkle
Bradford	Gilchrist	Lee (Barbour)	Ramey
Brewer	Goodwyn	Lee (Lawrence)	Reynolds
Brooks	Grouby	Locke (Choctaw)	Solomon
Brown (Lamar)	Hain	Locke (Perry)	Speaks
Brown (Lee)	Haltom	McClendon	Steagall
Burkhalter	Hare	McKay	Stembridge
Callahan	Harrison	McLendon	Summerlin
Cornett	Harvey	McNider	Taylor
Cox	Hawkins	Martin	Thomas
Crook	Holliman	Mathison	Vacca
Davis	Huddleston	Meeks	Ward
deGraffenried	Hunt	Molette	Windle
Dement	Jenkins	Money	Wood
DeSear	Johnson (Elmore)	Nettles	

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#### RESOLUTION

The following resolution was introduced:

By Mr. Boyd:

H.R. 65. Whereas the general health laws of Alabama now vest exclusive control of public health work in this State in the state and county boards of health, and

Whereas the Federal Poliomyelitis Vaccination Assistance Act of 1955 authorizes the Surgeon General of the United States Public Health Service to make allotments of federal funds to the several states for the purpose of assisting the states to provide children and expectant mothers an opportunity for vaccination against poliomyelitis; now therefore

Be it resolved by the House of Representatives of Alabama: That the Surgeon General of the United States Public Health Service is hereby petitioned to allot to the State Board of Health the funds payable to Alabama under the provisions of the Federal Poliomyelitis Vaccination Assistance Act of 1955, so as to enable the State Board of Health, through the county boards of health, to conduct in Alabama the poliomyelitis vaccination program contemplated in that act.

Be it resolved further, that the Clerk of the House of Representatives transmit a duly authenticated copy of this resolution to the Surgeon General, United States Public Health Service, Department of Health, Education, and Welfare, Washington, D. C., and Senators Hill and Sparkman and the Alabama Congressional Delegation.

Mr. Boyd moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H.R. 65.

#### MOTION TO ADJOURN LOST

The motion of Mr. Dement to adjourn until Tuesday, August 16, 1955, at ten o'clock A.M. was lost.

Yeas 8; Nays 78.

#### Yeas:

Mr. Speaker	Brown (Lamar)	Gregory	Shumate
Brooks	Dement	Kelly	Vacca

#### Nays:

Messrs.	Ferrell	Lackey	Payne
Adams	Franklin	Law	Perry
Albea	Gilchrist	Lee (Barbour)	Pirkle
Ashworth	Grouby	Lee (Lawrence)	Ramey
Bassett	Hain	Locke (Choctaw)	Reynolds
Boyd	Hall	Locke (Perry)	Richardson
Bradford	Haltom	Love	Roberts
Brewer	Hare	McLendon	Simon
Broadfoot	Harrison	McKay	Solomon
Brown (Lee)	Harvey	McLendon	Speaks
Burkhalter	Holliman	McNider	Steagall
Cornett	Huddleston	Mathison	Stenbridge
Cox	Hunt	Meeks	Stokes
Crook	Jenkins	Merrill	Summerlin
Davis	Johnson (Elmore)	Molette	Taylor
DeSear	Johnson (Tallapoosa)	Money	Thomas
Dickson	Kaul	Nettles	Tyson
Edwards (Escambia)	Kendall	Nice	Windle
Edwards (Jefferson)	Killough	Nolen	Wood
Faulk	Kirkham	Oakley	

#### CONSIDERATION OF H.R. 65 RESUMED

The motion of Mr. Boyd to suspend the rules in order to bring up for immediate consideration the resolution, H.R. 65, was lost.

Yeas 64; Nays 19.

#### Yeas:

Messrs.	Ashworth	Boyd	Brewer
Albea	Bassett	Bradford	Brown (Lee)



Cornett	Harrison	Lee (Lawrence)	Oakley
Cox	Harvey	Locke (Choctaw)	Payne
Crook	Holliman	Locke (Perry)	Perry
DeSear	Huddleston	Love	Pirkle
Dickson	Hunt	McClendon	Reynolds
Edwards (Escambia)	Jenkins	McKay	Richardson
Edwards (Jefferson)	Johnson (Elmore)	McLendon	Roberts
Faulk	Johnson (Tallapoosa)	McNider	Simon
Franklin	Kaul	Meeks	Stokes
Gilchrist	Kendall	Molette	Summerlin
Grouby	Killough	Money	Taylor
Hain	Kirkham	Nettles	Thomas
Hall	Lackey	Nice	Windle
Haltom	Lee (Barbour)	Nolen	Wood
Hare			

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**Nays:**

Mr. Speaker	Davis	Hawkins	Solomon
Broadfoot	Dawkins	Kelly	Speaks
Brooks	Dement	Mathews	Steagall
Brown (Lamar)	Ferrell	Mathison	Stembridge
Callahan	Gregory	Shumate	

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And said resolution H.R. 65 was read and referred to the Standing Committee on Rules.

**MOTION TO RECESS LOST**

The motion of Mr. Nolen to recess until 2:30 o'clock this afternoon was lost.

**CERTIFICATE OF ELECTION  
STATE OF ALABAMA  
DEPARTMENT OF STATE**

I, Mary Texas Hurt, Secretary of State of the State of Alabama, do hereby certify that it appears from the returns of the election held on August 9, 1955, received in this department in accordance with law, that the following named person was elected to the House of Representatives from Calhoun County, Place No. 2, for the unexpired term of Howard L. Bagley, deceased:

Hugh D. Merrill, Jr.

I do further certify that the certificate of election required by law to be furnished by me to the members of the House of Representatives has been mailed to him according to election returns made to this department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery this the 12th day of August, 1955.

MARY TEXAS HURT,  
Secretary of State.

(Seal)

**OATH OF OFFICE**

The oath of office was administered to Honorable Hugh D. Merrill, Jr. of Calhoun County by Honorable Pelham J. Merrill, Associate Justice of the Supreme Court of Alabama.

## H. 344 RE-REFERRED

On motion of Mr. Callahan, the motion of Mr. Summerlin made on the twenty-seventh legislative day to re-refer the bill, H. 344, was taken up.

Mr. Callahan offered the following substitute Motion in Writing:

The judiciary committee having given a favorable report to house bill No. 344. I now move that said house bill no. 344 be given a second reading and placed on the Calendar for passage on the next legislative day.

On motion of Mr. Brown (Lee) the substitute Motion in Writing offered by Mr. Callahan was laid upon the table.

Yeas 49; Nays 36.

**Yeas:**

Messrs.	Franklin	Lackey	Oakley
Bassett	Gilchrist	Lee (Barbour)	Perry
Boyd	Hain	Lee (Lawrence)	Pirkle
Bradford	Hall	Locke (Choctaw)	Richardson
Brooks	Harvey	Locke (Perry)	Roberts
Brown (Lee)	Holliman	McClendon	Solomon
Cornett	Hunt	McKay	Stokes
Crook	Jenkins	McLendon	Summerlin
Davis	Johnson (Tallapoosa)	McNider	Thomas
DeSear	Kaul	Martin	Ward
Dickson	Kendall	Molette	Windie
Edwards (Jefferson)	Killough	Nettles	Wood
Faulk	Kirkham		

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**Nays:**

Mr. Speaker	Dawkins	Huddleston	Payne
Albea	deGraffenried	Johnson (Elmore)	Reynolds
Ashworth	Dement	Kelly	Shumate
Brewer	Edwards (Escambia)	Law	Simon
Broadfoot	Ferrell	Love	Speaks
Brown (Lamar)	Grouby	Merrill	Steagall
Burkhalter	Haltom	Money	Taylor
Callahan	Harrison	Nice	Tyson
Cox	Hawkins	Nolen	Vacca

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## PAIRS ANNOUNCED

Mr. Adams announced that he was paired with Mr. Hanby. If Mr. Hanby were present he would vote "nay" and Mr. Adams would vote "yea".

Mr. Nettles announced that he was paired with Mr. Brassell. If Mr. Brassell were present he would vote "nay" and Mr. Nettles would vote "yea".

The question was then on the motion of Mr. Summerlin to re-refer the bill, H. 344, and the motion was adopted.

The Speaker re-referred the bill, H. 344, to the Standing Committee on Business and Labor.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Boutwell:

S. 339. To amend Section 81, Title 61, Code of Alabama, 1940, as amended by Act No. 356 of the Regular Session of the Legislature of 1945, approved July 6, 1945, and as amended by Act No. 635 of the Regular Session of the Legislature of 1951, approved September 4, 1951.

Also:

By Mr. Calvin:

S. 337. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

With notice and proof thereto attached and herewith exhibited as follows:

## LEGAL NOTICES

## LEGAL NOTICE

As required by Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply at the present regular session of the Legislature of Alabama for the enactment of the following local law:

A BILL  
TO BE ENTITLED  
AN ACT

To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That the boundary lines of the City of Decatur in Morgan County, Alabama, be and the same are hereby extended so as to include, in addition to the territory now embraced therein, the following described property, to-wit:

All that part of the SE $\frac{1}{4}$  of Section 28, Township 5 South, Range 4 West, lying East of the present City Limit line of the City of Decatur; Also, all that part of the NE $\frac{1}{4}$  of Section 33, Township 5 South, Range 4 West, lying East of the present City Limit line of the City of Decatur and North of the south line of Stratford Road S.E.; also, the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 34, Township 5 South, Range 4 West.

SECTION 2. This Act shall be effective immediately upon its passage and approval by the Governor.

## PROOF OF PUBLICATION

STATE OF ALABAMA,  
COUNTY OF MORGAN.

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Decatur, Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, JULY 6, July 13, and July 20, all in the year 1955.

B. C. SHELTON

Sworn to and subscribed before me this July 20th, 1955.

R. H. JERVIS,  
Notary Public.

My Commission Expires Oct. 21, 1957.

Also:

By Mr. Leonard:

S. 323. Relating to Talladega County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,  
COUNTY OF TALLADEGA.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Talladega County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The coroner of Talladega County is hereby authorized and empowered to appoint a clerk, and to fix his compensation. The compensation of such clerk shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated, but shall not exceed fifty dollars per month.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,  
TALLADEGA COUNTY.

Personally appeared before me, a ..... in and for said County, Cecil Hornady, who being duly sworn according to law, deposes and says that he is the Editor and Publisher of the Talla-

dega News, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 23, 1955, June 30, 1955, July 7, 1955, July 14, 1955.

CECIL HORNADY

Subscribed and sworn to before me this 30th day of July, 1955.

ELIZABETH M. YOUNG,  
Notary Public.

Also:

By Mr. Vann:

S. 332. Relating to the City of Huntsville in Madison County; to alter, rearrange, and extend the boundaries thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,  
COUNTY OF MADISON.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the City of Huntsville in Madison County; to alter, rearrange, and extend the boundaries thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the City of Huntsville in Madison County are hereby altered, rearranged and extended so as to include within the corporate limits of such city, in addition to the territory included within the present corporate limits, the following described territory:

(a) All that part of Sections 33 and 34, Township 3 South, Range 1 West, and Sections 3 and 4, Township 4 South, Range 1 West in Madison County, Alabama particularly described as beginning at the northwest corner of the Corporate limits of the City of Huntsville, Alabama, at the center of Section 34, Township 3 South, Range 1 West, which place of beginning is further described as being the northwest corner of F. K. Noojin's Hillandale Addition, thence from the place of beginning west 7920.0 feet to the center of the west boundary of Section 33, Township 3 South, Range 1 West; thence south along the west boundary of Section 33 Township 3 South, Range 1 West and along the west boundary of Section 4, Township 4 South, Range 1 West, 6775.0 feet to a point on the north margin of the Southern Railway right-of-way; thence north 71 degrees 0 minutes east along the north margin of the Southern Railway right-of-way 10795.0 feet to a point in the center of Eighth Street which point is on the west boundary of the present corporate limits of the City of Huntsville; thence due north along the corporate limits line and along the center line of said Eighth Street 1320.0 feet to a point in the center of Athens Pike or Athens Street; thence South 77 degrees 0 minutes west along the center of said Athens Pike or Athens Street 2218.0 feet to a point on the west boundary of the southeast quarter of

Section 34, Township 3 South, Range 1 West; thence north 1 degree 3 minutes east 2539.7 feet to the place of beginning.

(b) All that part of Sections 7, 8, 17 and 18, Township 4 South, Range 1 East, and Sections 12, 13, 14, 23 and 24 of Township 4 South, Range 1 West, Madison County, Alabama, particularly described as beginning at the southeast corner of the Corporate limits of the City of Huntsville which place of beginning is further described as being the center of the north boundary of the northeast quarter of Section 8, Township 4 South, Range 1 East; thence from the place of beginning south 1980.0 feet to the center of the east boundary of the southwest quarter of the northeast quarter of Section 8, Township 4 South, Range 1 East; thence west 2640.0 feet to the center of the east boundary of the southwest quarter of the northwest quarter of Section 8, Township 4 South, Range 1 East; thence south 3300.0 feet to the center of the south boundary of the southwest quarter of Section 8, Township 4 South, Range 1 East; thence west along the south boundary of Section 8, Township 4 South, Range 1 East 575.0 feet to a point on the west margin of Drake-Garth Road; thence along the west margin of Drake-Garth Road as follows: south 6 degrees 10 minutes east 715.0 feet; thence south 21 degrees 20 minutes east 1220.0 feet; thence south 5 degrees 20 minutes west 30.0 feet to a point on the south boundary of the northwest quarter Section 17, Township 4 South, Range 1 East; thence leaving Drake-Garth Road due west 4775.0 feet to a point on the east margin of Whitesburg Drive; thence north 1 degree 20 minutes west along the east margin of Whitesburg Drive 365.0 feet to a point in line with the north margin of the Airport Access Road; thence south 84 degrees 30 minutes west along the north margin of the Airport Access Road 3180.0 feet to a point; thence south along the east margin of the Huntsville Madison County Airport property 2785.0 feet to a point at the center of the south boundary of the southeast quarter of Section 13, Township 4 South, Range 1 West; thence west 1320.0 feet to the center of the north boundary of Section 24, Township 4 South, Range 1 West; thence south 2640.0 feet; thence west 2640.0 feet to the center of the west boundary of Section 24, Township 4 South, Range 1 West; thence north 1980.0 feet; thence west 1320.0 feet; thence north 660.0 feet; thence west 1320.0 feet to the center of the south boundary of Section 14, Township 4 South, Range 1 West; thence north 2640.0 feet to the center of Section 14, Township 4 South, Range 1 West; thence east 2640.0 feet to the center of the west boundary of Section 13, Township 4 South, Range 1 West; thence north 6600.0 feet to the center of the west boundary of the northwest quarter of Section 12, Township 4 South, Range 1 West; thence east 1769.0 feet to a point on the southwest corporate boundary of the City of Huntsville which point is further described as being located on the east margin of the right-of-way of the N C & St. L railway; thence south 16 degrees 56 minutes east along the east margin of the N C & St L Railway right-of-way and along the southwest corporate boundary of the City of Huntsville 1402.0 feet to a point in the center of Donegan Lane said point is further described as being located on the south boundary of the northwest quarter of Section 12, Township 4 South, Range 1 West; thence east along the center line of Donegan Lane 5720.0 feet to the center of Section 7, Township 4 South, Range 1 East; thence north 2640 feet to the center of the north boundary of Section 7, Township 4 South, Range 1 East, thence east 6600.0 feet to the place of beginning.

(c) All that part of Sections 1, 2, and 12, Township 4 South Range 1 West, Madison County, Alabama, particularly described as beginning at the intersection of the east margin of Memorial Parkway with the southwest boundary of the corporate limits line said place of beginning is further described as being south 687.5 feet and west 115.0 feet from the center of the west boundary of Section 1, Township 4 South, Range

1 West, thence from the place of beginning south 11 degrees 15 minutes east along the east margin of the Huntsville or Memorial Parkway 2585.0 feet to the north margin of Bob Wallace Avenue Extended thence north 78 degrees 45 minutes east along the north margin of said Bob Wallace Avenue Extended 634.7 feet; thence north 73 degrees 2 minutes east 451.2 feet; to a point on the boundary of the southwest corporate limits of the City of Huntsville said point is further described as being located on the east margin of the right-of-way of the N C & St L Railway; thence north 17 degrees 0 minutes west along the east margin of the N C and St L Railway right-of-way 1480.0 feet to a point; thence south 56 degrees 30 minutes west 570.0 feet to a point; thence north 33 degrees 30 minutes west 1150.0 feet to the place of beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA,  
MADISON COUNTY.

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared Charley W. Holder, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times Company, a Corporation which prints and publishes The Huntsville Times, that it is a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached "Legal Notice" was published in said newspaper on June 30, July 7, July 14 and July 21, 1955.

CHARLEY W. HOLDER,  
Secretary-Treasurer.

Sworn to and subscribed before me this the 2 day of August, 1955.

OPAL DILWORTH,  
Notary Public.

My commission expires May 19, 1959.

J. E. SPEIGHT,  
Secretary,

#### SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 339. Judiciary.
- S. 337. Local Legislation No. 1.
- S. 323. Local Legislation No. 1.
- S. 332. Local Legislation No. 1.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Yarbrough (Autauga) and Metcalf:

S. 290. To amend Sections 658 and 663 of Title 2, Code of Alabama (1940), which relate to soil conservation districts.

Also:

By Messrs. Smith, Metcalf, Davis (Pickens), Engelhardt, Yarbrough (Randolph), Yarbrough (Autauga), Moses, Cooper, Shelton, Flowers, Givhan, Newton, Coleman, Eddins, Reeves, Calvin, Jones, Van Antwerp, and Broadford:

S. 279. Relating to crimes and offenses: To define the crime of indecent molestation of children and to fix the punishment therefor.

J. E. SPEIGHT,  
Secretary,

#### SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 290. Agriculture.

S. 279. Judiciary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By the Rules Committee:

S.J.R. 65. RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 16th, 1955.

J. E. SPEIGHT,  
Secretary,

#### SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 65 set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

In accordance with the provisions of H.J.R. 50, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Lamberth and Boutwell.

J. E. SPEIGHT,  
Secretary,

#### CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:40 A.M. On August 12, 1955



H. 110.

H. 665

H. 155

Delivered to the Governor at 2:15 P.M. On August 12, 1955

H. 87

R. T. GOODWYN, JR.,  
Clerk.

## ADJOURNMENT

On motion of Mr. McNider the House adjourned until Tuesday,  
August 16, 1955, at ten o'clock A.M.

Yeas 48; Nays 36.

## Yeas:

Mr. Speaker	DeSear	Lee (Lawrence)	Perry
Ashworth	Dickson	Locke (Choctaw)	Pirkle
Bassett	Faulk	Locke (Perry)	Ramey
Boyd	Ferrell	McKay	Richardson
Bradford	Franklin	McLendon	Simon
Brooks	Hain	McNider	Solomon
Brown (Lamar)	Harrison	Martin	Steagall
Burkhalter	Harvey	Mathews	Thomas
Callahan	Holliman	Mathison	Vacca
Cornett	Killough	Molette	Ward
Davis	Kirkham	Money	Windle
Dement	Lee (Barbour)	Payne	Wood

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## Nays:

Messrs.	Gilchrist	Johnson (Elmore)	Nolen
Adams	Gregory	Johnson (Tallapoosa)	Oakley
Albea	Grouby	Kelly	Reynolds
Brewer	Hall	Kendall	Roberts
Broadfoot	Haltom	Law	Speaks
Cox	Hare	McClendon	Stembridge
Dawkins	Hawkins	Meeks	Stokes
deGraffenried	Huddleston	Nettles	Summerlin
Edwards (Escambia)	Hunt	Nice	Tyson
Edwards (Jefferson)			

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## THIRTY-FIRST DAY

House of Representatives  
Montgomery, Alabama  
Tuesday, August 16, 1955

The House met pursuant to adjournment.

## PRAYER

The session was opened with prayer by the Reverend M. Cecil  
Perryman, Minister, Cloverdale Church of Christ, Montgomery, Alabama.

## ROLL CALL

On a call of the roll of the House the following members answered  
to their names:

Mr. Speaker	Edwards (Escambia)	Kaul	Oden
Adams	Edwards (Jefferson)	Kelly	Payne
Albea	Faulk	Kendall	Perry
Ashworth	Ferrell	Killough	Pirkle
Bassett	Franklin	Kirkham	Pruitt
Boyd	Gilchrist	Lackey	Ramey
Bradford	Gist	Law	Reynolds
Brannan	Goodwyn	Lee (Barbour)	Richardson
Branyon	Gregory	Lee (Lawrence)	Roberts
Brassell	Grouby	Locke (Perry)	Selman
Brewer	Hain	Love	Shumate
Broadfoot	Hall	McClendon	Simon
Brooks	Haltom	McKay	Solomon
Brown (Lamar)	Hanby	McLendon	Speaks
Brown (Lee)	Hardy	McNider	Steagall
Burkhalter	Hare	Martin	Stembridge
Callahan	Harrison	Mathews	Stokes
Cornett	Harvey	Mathison	Summerlin
Cox	Hawkins	Meeks	Taylor
Crook	Hodges	Molette	Thomas
Davis	Holliman	Money	Tyson
Dawkins	Huddleston	Nettles	Vacca
deGraffenried	Hunt	Nice	Ward
Dement	Jenkins	Nolen	Windle
DeSear	Johnson (Elmore)	Oakley	Wood
Dickson	Johnson (Tallapoosa)		

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A quorum was present.

#### REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirtieth legislative day and finds the same to be correct.

RANKIN FITE,  
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the thirtieth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the thirtieth legislative day was approved.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 561. To authorize and provide for the establishment of a fund to be designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, to be drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and to provide that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such fund for such purpose.

Also:

H. 683. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to levy and collect a special tax on incomes,

fixing the rates at which the tax may be levied, and dedicating the proceeds thereof for educational purposes.

Also:

H. 745. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Butler County.

Also:

H. 754. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Lee County.

Also:

H. 756. To provide further for the government of Marshall County; to abolish the Court of County Commissioners of Marshall County and to create in lieu thereof the board of Revenue and Control of Marshall County; to provide for the election of the members of the board and to prescribe their qualifications, terms, and compensation; and to provide for the organization, powers, jurisdiction, and duties of the board, and the authority and duties of its individual members.

Also:

H. 759. To provide additional compensation for the county solicitor, deputy circuit solicitor, or assistant circuit solicitor in all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 760. To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

Also:

H. 798. To apply in all counties having a population of not less than 63,500 nor more than 72,500 inhabitants, according to the last or any subsequent federal decennial census: Fixing the compensation of jury commissioners in all such counties.

Also:

H. 761. To amend Section 1 of Senate Bill No. 396 of the Acts of the Legislature of Alabama of 1935, approved September 9, 1935, entitled, "An Act, to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations, and Refiners, selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naphtha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or col-

lecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective."

Also:

H. 244. To amend further Section 752 of Title 51, Code of Alabama (1940), and to define further the term "wholesale sale" or "sale at wholesale" within the meaning of the sales tax act.

Also:

H. 300. Relating to the education of exceptional children; providing that county and city boards of education may provide education for exceptional children; authorizing the State Board of Education on the recommendation of the State Superintendent of Education to establish rules and regulations relating to allocation of state funds, certification of teachers, size of classes, eligibility of pupils to receive instruction, training and experience required for professional personnel other than teachers, and other regulations which are necessary to the effective operation of an educational program for exceptional children; authorizing the employment of qualified supervisory personnel in the State Department of Education; authorizing the expenditure of Minimum Program funds and local school funds for the education of exceptional children beginning with the age of three years; repealing all laws and parts of laws in conflict with this Act.

Also:

H. 464. To provide for the compensation of the Court Reporter of the Law and Equity Court of Franklin County, Alabama, and enlarge the duties of such Office.

Also:

H. 770. Relating to Colbert County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

Also:

H. 771. Proposing an amendment of the Constitution of Alabama, as amended, relating to the powers of municipalities in Fayette County.

Also:

H. 725. Applying to each county in this state which is now levying or may hereafter levy a special annual ad valorem tax the proceeds from which are or may be required to be used exclusively as a sanitary fund; authorizing each such county from time to time to sell and issue in addition to all other securities which it may now or hereafter be authorized to issue, general obligation interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring, providing, constructing, enlarging, or extending a sanitary sewer system or systems, or any part or parts thereof; authorizing the issuance of refunding warrants and refunding certificates of indebtedness for the pur-

pose of retiring any such warrants and certificates of indebtedness; authorizing the pledge and use, for payment of the principal of and interest on such warrants and certificates of indebtedness, of so much as may be necessary for such purpose of the proceeds from such tax, and specifying the effect and priority of any such pledge; and providing that such warrants and certificates of indebtedness shall be eligible for the investment of trust funds.

Also:

H. 763. To amend further Act No. 445, H. 858, approved September 23, 1947 (Local Acts of 1947, p. 303), which established the Court of Common Pleas of Autauga County.

Also:

H. 776. To designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election.

Also:

H. 777. To provide for the relief of Evelyn Louise Brewer, out of the General Funds of Jefferson County, Alabama.

Also:

H. 782. Proposing an amendment to the Constitution of Alabama relative to the filling of vacancies in the office of judge of the circuit court in Jefferson County.

Also:

H. 783. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special ad valorem tax for public school purposes in the Cities of Auburn and Opelika.

Also:

H. 785. To propose an amendment to the Constitution of Alabama, relative to the imposition of an additional county tax on taxable property in Limestone County.

Also:

H. 795. To alter, rearrange, and extend the boundary line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Also:

H. 796. To apply only in those Counties having a population of not less than 94,000 nor more than 134,000, according to the latest or any subsequent Federal Decennial Census and to provide further for the disposition of the proceeds of the sale of contraband or forfeited property and the distribution and disposition of the funds realized from such sales.

Also:

H. 473. Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

## SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 435. To amend Section 8, and Section 12 of Act 515, H. 93, approved July 9, 1945, (General Acts 1945, page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Also:

H. 434. To amend Sections 368 and 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Also:

H. 217. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

Also:

H. 215. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Also:

H. 214. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Also:

H. 51. To amend Section 55 of Title 30 of Code of Alabama of 1940, relating to challenges of jurors for cause.

Also:

H. 122. To amend Act No. 292, S. 292, approved July 9, 1945 (General Acts of Alabama, 1945, page 482) which provided for the examination, licensing and regulation of licensed practical nurses.

Also:

H. 123. To amend further Act No. 96, H. 102, approved June 15, 1945, (General Acts of Alabama, 1945, page 92) which relates to schools of nursing and the examination, regulation and registration of nurses.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 295. To amend Sections 42, 44 and 45 of Title 36, Code of Alabama (1940), as amended, which relates to lighting equipment required on motor vehicles.

Also:

H. 774. To make an appropriation for the restoration of the interior of the building located in Greensboro, Alabama, which formerly housed the now extinct Southern University, and to create a committee to administer the appropriation under the supervision and control of the Governor.

Also:

H. 111. Making an appropriation to the Board of Trustees of the Cahaba Historical Commission.

Also:

H. 120. To authorize and provide for the payment of the sum of \$613.80, out of any funds in the State Treasury to the credit of the State Forestry Fund, for the relief of Colbert R. Wright, to reimburse him for hospital, doctor and medical bills by reason of an accident occurring on August 30, 1949, while the said Colbert R. Wright was employed by the State of Alabama, Department of Conservation, and while he was acting in the line and scope of his employment.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 64. Relative to memorializing Congress to enact legislation necessary to make certain needy children eligible for aid to dependent children under the provisions of the Federal Social Security Act.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Cooper:

S. 243. To authorize and make provision for the incorporation in any municipality in this state of one or more public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, and operating buildings for use by the municipality in which any such corporation shall be organized in the performance of the municipal functions of such municipality; to provide for the election of the directors and officers of each such corporation; to specify its powers; to authorize it and the municipality in which it is organized to enter into leases covering properties of such corporation and to specify requirements respecting such leases; to declare the securing and supplying of reasonable and adequate building, office and storage facilities for the officers, courts, jails, departments, and agencies of the municipality performing municipal duties to be an essential govern-

mental function of the municipality and the rentals payable by the municipality for such purpose to constitute a necessary governmental operating expense of the municipality; to prohibit the municipality in which any such project is located from leasing, or renewing any then existing lease with respect to, any office or storage space in any other buildings located in or about the municipality in which any such project is located while office or storage space is available in such project; to authorize the issuance by such corporation of interest bearing revenue bonds payable solely out of the revenues from the project with respect to which they are issued; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of such revenues, lease and rentals by mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from taxation the properties of said corporation and the income from the leases made with respect thereto, said bonds and the income therefrom, and said leases and mortgages; to authorize investment of idle and surplus funds of the municipality in said bonds; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and mortgage and the proceedings authorizing the same; to authorize the transfer to said corporation, with or without consideration, of properties owned by the municipality whether or not they are necessary for the conduct of governmental or other public functions of the municipality; to provide for the vesting in the municipality of title to each project of said corporation as and when bonds which are payable, in whole or in part, from the revenues derived from such project shall have been paid in full; and to provide for the dissolution of said corporation.

Also:

By Mr. Cooper:

S. 228. To propose and provide for an amendment to the Constitution of Alabama of 1901 providing that obligations hereafter incurred and securities hereafter issued by a municipality having a population of less than 6,000 inhabitants for the purpose of acquiring, providing or constructing sanitary or storm water sewers, street or sidewalk improvements, or school houses, shall not under certain circumstances be deemed to constitute an indebtedness of such municipality within the meaning of Section 225 of said constitution.

Also:

By Mr. Cooper:

S. 242. To amend Sections 308, 309, 310, 312 as heretofore amended, 313, 314, 315, 325 as heretofore amended, 327, 329, and 340 of Title 37 of the Code of Alabama of 1940, all of said Sections being in Subdivision 3 of Article 2 of Chapter 6 of said Title 37, so as to confer on each county and municipality in the state the same powers with respect to the acquisition and financing of electric systems that are conferred by said subdivision with respect to water, sanitary sewer, and gas systems; so as to authorize each county or municipality to consolidate any two or more of its systems, including water, sanitary sewer, gas and electric systems; so as to authorize each county and municipality to issue its revenue bonds (a) for financing the acquisition, improvement, enlarge-



ment, extension and repair of any one or more of its water, sanitary sewer, gas, and electric systems, or any such consolidated system or systems; (b) for refunding any bonds heretofore or hereafter issued under said subdivision, or (c) for the combined purpose of such financing and such refunding; so as to authorize such county and municipality to make its revenue bonds hereafter issued under said subdivision payable solely out of the revenues from any one or more of its said systems, regardless of the system or systems for the benefit of which such revenue bonds may be issued and regardless of whether or not any of said systems may have been consolidated; so as to make additional provisions with respect to bonds hereafter issued under said subdivision and statutory mortgage liens hereafter created thereunder; so as to revise the provisions of said subdivision respecting the custody and disposition of the revenues from systems hereafter made subject to such liens; so as to provide that the due recording of a notice of such lien shall operate as constructive notice thereof; so as to revise the provisions of said subdivision respecting publication of notice of the authorization of bonds thereunder; and to repeal Sections 331, 332 and 333 of said Title 37.

Also:

By Messrs. Cooper and Engelhardt:

S. 219. To amend further Section 440 of Title 37 of the Code of 1940 relating to municipal operations.

Also:

By Messrs. Cooper and Engelhardt:

S. 226. To authorize municipalities in this state to acquire properties suitable for use as post offices, to lease such properties to the United States Government subject to certain requirements, to finance the acquisition of such properties by the issuance of negotiable revenue bonds payable solely out of the rental of such properties and to secure the bonds by pledges of such rentals and by mortgages on such properties, and to make or accept contributions toward the cost of such properties; to authorize the refunding of bonds issued hereunder; to provide remedies in the event of default respecting bonds issued hereunder, to exempt from taxation the properties acquired under authority of this act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor and lease agreements hereunder; to provide that bonds and agreements made in connection therewith shall not constitute an indebtedness of the municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under Alabama laws; to prescribe the purposes for which the proceeds from the sale of such bonds may be used; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Also:

By Mr. Reeves:

S. 266. To amend further Section 7 of Title 60, Code of Alabama (1940), which relates to the widows of Confederate veterans who are entitled to pensions.

Also:

By Mr. Goodwyn:

S. 180. To amend Section 126 of Title 10, Code of Alabama (1940), which relates to the powers of corporations not of a business character.

Also:

By Mr. Bradford:

S. 307. To amend Section 1 of Act No. 169 of the regular session of the Legislature of 1945, (General Acts of Alabama 1945, page 285, Section 1, effective August 22, 1945), as amended, by including within the definition of a producer as is defined in sub-section (d) of said Section any person who assembles or causes to be assembled any forest products for shipment out of the State of Alabama in an unmanufactured condition.

Also:

By Mr. Bradford:

S. 306. To amend Section 3 of Act No. 169, General Acts of Alabama 1945 (General Acts 1945, page 286, Section 3, effective August 22, 1945), and said Act as amended, by providing under sub-section (1) of said section that the measure of the tax on pine lumber shall be twenty cents per thousand feet board measure lumber tally, and that the measure of the tax on hardwoods and other species of lumber described in sub-section (2) of said section shall be eight cents per thousand feet board measure lumber tally, and that sub-sections (7) and (8) shall be amended to provide that the levy in each instance shall be on invoice value at the loading out point and that such levy shall be based on the amount paid at the stump.

Also:

By Mr. Newton:

S. 21. To make an appropriation for the support and maintenance of Walker County Junior College.

Also:

By Messrs. Robison, Yarbrough (Autauga), Flowers, Skidmore, Lamberth, Moses, Yarbrough (Randolph), Boutwell, Cantrell, Grisham, Metcalf, Little, Engelhardt, Bradford, Allen, James, Goodwin, Roberts, Givhan, Tate, Shelton and Van Antwerp:

S. 293. To amend Section 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Also:

By Messrs. Boutwell, Robison and Reeves:

S. 338. To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 243. Local Government.

S. 228. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Government.

- S. 242. Local Government.
- S. 219. Local Government.
- S. 226. Local Government.
- S. 266. Ways and Means.
- S. 180. Judiciary.
- S. 307. Conservation.
- S. 306. Conservation.
- S. 21. Ways and Means.
- S. 293. Ways and Means.
- S. 338. Ways and Means.

## REPORT OF COMMITTEE

Mr. Kelly, Chairman of the Standing Committee on Public Welfare, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendments.

H. 605 (with substitute) (with amendments). To amend Sections 1, 5, 11, 13, 14, 15, of Act No. 787, Acts of the Legislature of 1951, approved September 11, 1951, which relate to regulation of the business of lending money.

On motion of Mr. Tyson, the second reading of the bill, H. 605, was postponed until the thirty-second legislative day.

Yeas 63; Nays 25.

**Yeas:**

Mr. Speaker	Dement	Holliman	Molette
Adams	DeSear	Huddleston	Oakley
Albea	Dickson	Jenkins	Oden
Ashworth	Edwards (Escambia)	Johnson (Elmore)	Pirkle
Boyd	Ferrell	Johnson (Tallapoosa)	Ramey
Branyon	Franklin	Kaul	Reynolds
Brassell	Gilchrist	Killough	Richardson
Broadfoot	Gregory	Kirkham	Roberts
Brooks	Grouby	Law	Simon
Brown (Lamar)	Hain	Lee (Lawrence)	Solomon
Brown (Lee)	Halton	Locke (Perry)	Speaks
Burkhalter	Hardy	Love	Tyson
Cornett	Hare	McLendon	Ward
Cox	Harrison	McNider	Windle
Crook	Harvey	Mathews	Wood
Davis	Hodges	Merrill	

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**Nays:**

Messrs.	Goodwyn	Money	Steagall
Bradford	Hall	Nolen	Stembridge
Brewer	Kelly	Payne	Stokes
Callahan	Kendall	Pruitt	Summerlin
Edwards (Jefferson)	Lackey	Selman	Taylor
Faulk	McKay	Shumate	Vacca
Gist	Martin		

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## BILLS ON SECOND READING

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 221 (with substitute). Relating to the department of revenue: To authorize and direct the Commissioner of the Department of Revenue to allow distributors and retail dealers a refund, deduction, or discount of two percent of all motor fuel taxes collected to defray the cost of collecting such taxes from the ultimate consumer, one-half of such allowance to be for the benefit of the distributor and one-half to the use of the retail dealers; authorizing the Commissioner of Revenue to promulgate reasonable rules and regulations to effectuate the purposes of this Act.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 960. To provide further for financing the operation of schools and educational institutions: authorizing the Alabama Public Schools Corporation created by Article 10, Chapter 10, Title 52, Code 1940, to borrow money on behalf of certain institutions and agencies, to issue notes or warrants in evidence thereof, to pay interest thereon, and to pledge the proceeds of ~~current appropriations~~ to secure the repayment thereof, in the same manner and subject to the same restrictions, conditions and limitations as such corporation is authorized to make loans for the public schools and pledge the proceeds of minimum program fund appropriations.

H. 983. To amend further Section 249 of Title 55, Code of Alabama (1940) which fixes the salary of the state geologist.

Mr. Oden Chairman of the Standing Committee on Military Affairs reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 978. To amend Sections 69 and 70, Title 35, Code of Alabama of 1940, as heretofore amended, providing for the organization of the State Military Department and the compensation of the personnel thereof, and to repeal all laws and regulations and parts of laws and regulations inconsistent with the provisions of this Act.

Mr. Bassett Vice-Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 275. Relating to counties having a population of not less than 75,000 nor more than 130,000: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

S. 314. To authorize the governing body of any County in the State of Alabama having a population of at least 125,000 people and not

more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indigent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

S. 315. Relating to counties having a population of not less than 56,500 nor more than 72,500: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

S. 317. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

S. 319. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

S. 322. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

S. 323. Relating to Talladega County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

S. 337. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

H. 933. Relating to Jackson County: abolishing the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and creating in lieu thereof the Jackson County Fine Forfeiture Fund; transferring funds in the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County to the Jackson County Fine and Forfeiture Fund; providing for the payment of existing claims against the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and for the payment of future claims which may arise against the Jackson County Fine and Forfeiture Fund; providing for the re-registration of existing claims against the general fine and forfeiture fund of Jackson County and barring existing claims that are not registered and existing claims that are not re-registered; making the circuit clerk the custodian of the Jackson County Fine and forfeiture Fund and fixing the compensation of the circuit clerk for his services rendered as custodian; providing for the appointment of a clerical assistant for the re-registration of claims against the general fine and forfeiture fund of Jackson County; providing for the transfer of surplus funds in the Jackson County Fine and Forfeiture Fund to the general fund of the county; and repealing conflicting laws.

H. 958. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the 1950 federal census, or any subsequent federal census.

H. 959. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

H. 975. To fix the salary of the deputy solicitor of Lamar County, and to prescribe the method of payment of such salary.

H. 976. To regulate the meetings of the county board of education of Lamar County.

H. 977. To propose an amendment to the Constitution of Alabama relative to the industrial development of Marion County.

The above bill was read a second time at length as required by the Constitution.

H. 981. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Shelby County.

The above bill was read a second time at length as required by the Constitution.

S. 332. Relating to the City of Huntsville in Madison County; to alter, rearrange, and extend the boundaries thereof.

H. 956. Relating to Chilton County: To provide that the board of revenue, court of county commissioners, or like governing body of the county, or other public body having general jurisdiction of the county road system, shall be authorized and empowered to use or to authorize the use of county machinery, equipment, and property in the clearing and grading of building sites for new industries to be located within the county.

S. 300. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

The above bill was read a second time at length as required by the Constitution.

H. 955. To establish a County Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a court reporter for said court and to fix and prescribe his duties and compensation and to provide for the payment of his salary; to provide that said court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the Chilton County Law and Equity Court of Chilton County, Alabama.

H. 979. To establish a county court of Marshall County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties, and compensations; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of Marshall County, Alabama and in the County Court for Marshall County as created by Act approved June 3, 1953, and to provide for the transfer of certain cases pending in said County Court of Marshall County, Alabama to the equity side of the Circuit Court of Marshall County, Alabama, and to provide for the taxing of fees and costs, and to repeal Act No. 51 of the regular session of 1953, approved June 3, 1953, creating the County Court for Marshall County, and to repeal Act No. 408 of the regular session of 1953, approved August 27, 1953 abolishing the criminal jurisdiction conferred by law upon justices of the peace in Marshall County and conferring the same upon the County Court for Marshall County, Alabama.

H. 957. To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

H. 954. Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction, and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.

H. 980. Requiring that all Justices of the Peace and all Notaries Public-Exo Officio Justice of the Peace or other officer trying misdemeanor criminal cases in Marshall County, Alabama, other than in the County or Circuit Court of said County shall be required to report to the Clerk of the Circuit Court of said County, on forms furnished by said Clerk on the first day of each month all fines and forfeitures assessed

or collected in such courts, showing the name of the defendant, the number of the case on the docket of such officer, the charge, the date of conviction or making final of such forfeiture, together with the amount thereof and showing the amount remitted, without any deductions therefrom for any reason whatsoever; and to require such officer to produce in the office of the Clerk of said Court at such times of making such report and/or remittance their dockets to be audited by such Clerk; to require such officer to also deliver to said Clerk such dockets one week in advance of the regular meeting of the Grand Jury of said County to be by said Clerk delivered to said Grand Jury; making a violation of this Act a misdemeanor and fixing penalties for the violation of this Act; and providing that all such fines and forfeitures collected by said Clerk from such officer, or any of them, shall be by said Clerk paid into the Fine and Forfeiture Fund of Marshall County, Alabama, regardless of the offense which defendant was charged with, and fixing the compensation to said Clerk for performing his duties under the provisions of this Act; to repeal all laws in conflict with this Act; providing when this Act shall take effect.

Mr. Meeks Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections, and to fix their compensation and the manner of payment thereof.

H. 964. To amend Section 5 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 345, approved August 15, 1947, (General Acts of the Legislature of Alabama of 1947, pages 222-229).

H. 962. TO AMEND Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts 1951, Page 1579).

H. 965. To fix the salary of the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama (Jefferson County) and to regulate the payment of the same.

H. 973. To require all county officers on a salary basis in counties having a population of four hundred thousand (400,000) or more,



according to the last or any subsequent Federal Census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices; and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

H. 971. To provide for the compensation to be paid the Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama who is elected by the people and the Assistant Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama by counties having a population of 500,000 or more according to the last or any succeeding decennial federal census.

H. 967. Relating to Jefferson County: To abolish the Inferior Court of Leeds and provide for the transfer and disposition of the pending causes and judgments of the Inferior Court of Leeds.

H. 966. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of 200,000 inhabitants or more according to the last or any succeeding federal census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

H. 974. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 200,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; To provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Mr. Meeks Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the

following bills and ordered same returned to the House with a favorable report, (With Amendment) and they were severally read a second time and placed on the Calendar, to-wit:

H. 968 (with amendment). To alter, rearrange, and increase the boundaries of the City of Fairfield, Alabama, Jefferson County, Alabama.

H. 970 (with amendment). Relating to the municipality of the Town of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Graysville.

Mr. Meeks Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 969. To establish an inferior court of record to be called the Bessemer Civil and Criminal Court; to define the jurisdiction and power of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same; and to otherwise provide for said Court. Said Court to be created in the precinct or precincts lying within or partly within the City of Bessemer, Jefferson County, Alabama. ~~Said Court to be created in lieu of all Justices of the Peace and Notary Public ex-officio Justices of the Peace in said precinct or precincts.~~

Mr. Davis Vice-Chairman of the Standing Committee on Conservation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 961. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding five million (\$5,000,000) dollars principal amount of general obligation bonds of the State of Alabama additionally secured by pledge of a portion of the revenues derived from the State Park System, which bonds shall be used only for the purposes of improving, developing, enlarging and maintaining the State Park System of Alabama.

The above bill was read a second time at length as required by the Constitution.

Mr. Brown (Lee) Chairman of the Standing Committee on Transportation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 757. To amend Title 55, Chapter 7, Article 1, of the Code of Alabama of 1940, as amended, by repealing all of Article 1, of the said Title 55, Chapter 7, and substituting in lieu thereof a new Article 1, which shall read as follows: Title 55, Chapter 7, Article 1.

#### INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Shumate and Selman:

H. 984. Relating to counties having a population of not less than 63,700 nor more than 70,000 inhabitants, according to the last or any subsequent federal decennial census; exempting purchases of medical, surgical, and hospital supplies from any system of competitive bidding now or hereafter provided by law for any such county, or any office, department, board, agency, or institution thereof.

Local Legislation No. 1.

By Messrs. Shumate and Selman (with notice and proof):

H. 985. Relating to Walker County: To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of Walker County to cover the employees of said county under the Workmen's Compensation Act.

Local Legislation No. 1.

Notice and Proof H. 985:

### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Walker County: To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of Walker County to cover the employees of said county under the Workmen's Compensation Act.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Walker County is hereby authorized, directed, and required to file forthwith upon the passage of this Act written notice of the county's election to accept the provisions of Article 1 and 2 of Chapter 5, Title 26, Code of Alabama (1940), as amended, and cover the employees of Walker County under the Workmen's Compensation Act.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REUBEN L. NEWTON  
T. K. SELMAN  
ALONZO SHUMATE

7-14-4t

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ellouise Griffin, who, being by me

first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Mountain Eagle Pub. Co., a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper July 14, July 21, July 28, and Aug. 4, all in the year of 1955.

ELLOUISE GRIFFIN.

Sworn to and subscribed before me August 15, 1955.

FAY O'REAR,  
Notary Public.

By Messrs. Selman and Shumate:

H. 986. Relating to cities and towns in counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census; providing that the territorial limits of the police jurisdiction outside the corporate limits of any such city or town shall not be extended or changed by altering, extending, or rearranging the boundary lines or corporate limits of the city or town through the annexation of adjoining territory.

Local Legislation No. 1.

By Messrs. Selman and Shumate (with notice and proof):

H. 987. Relating to Walker County; authorizing qualified electors living within the limits of the police jurisdiction of any city or town in the county to vote at municipal elections held by the city or town within whose police jurisdiction they reside, and directing the governing body of each incorporated municipality in the county to designate the place at which electors may vote.

Local Legislation No. 1.

Notice and Proof H. 987:

#### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Walker County; authorizing qualified electors living within the limits of the police jurisdiction of any city or town in the county to vote at municipal elections held by the city or town within whose police jurisdiction they reside, and directing the governing body of each incorporated municipality in the county to designate the place at which electors may vote.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Every registered voter who lives within the police jurisdiction of a city or town in Walker County shall be entitled to vote at any and all municipal elections held by the city or town within whose police jurisdiction he resides notwithstanding the fact that he resides outside the corporate limits of such municipality.

Section 2. The governing body of each city or town in Walker County when designating voting places for the wards in the city or town shall also designate the place or places at which qualified electors authorized by Section 1 hereof to vote in the election in such municipalities may vote, and such electors may vote at the designated places and nowhere else.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REUBEN L. NEWTON  
T. K. SELMAN  
ALONZO SHUMATE

7-21-4tc

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ellouise Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Mountain Eagle Pub. Co., Inc., a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, Aug. 4, and Aug. 11, all in the year 1955.

ELLOUISE GRIFFIN.

Sworn to and subscribed before me August 15, 1955.

FAY O'REAR,  
Notary Public.

By Messrs. Selman and Shumate (with notice and proof):

H. 988. Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties.

Local Legislation No. 1.

Notice and Proof H. 988:

#### LEGAL NOTICE

##### STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency, or institution thereof

to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Except as otherwise provided in this Act, all purchases of supplies, material, equipment and contractual services, including linen and cleaning services, for Walker County or any office, department, board, agency or institution thereof, including the county board and superintendent of education, involving an expenditure of \$25.00 dollars or more, shall be based on competitive bids.

Section 2. (a) Any officer or employee of Walker County authorized to purchase any of the items enumerated in Section 1 hereof shall before awarding any contract of purchase, secure at least three competitive bids thereon and shall award such contract to the lowest responsible bidder, taking into consideration the qualities of the commodities proposed to be supplied, their conformity with specifications, the purposes for which required, the terms of delivery, transportation charges, and the dates of delivery. Any or all bids may be rejected if the public interest will be served thereby. If all bids received on a pending purchase or contract are for the same unit price or total amount, all such bids may be rejected and the purchase may be made on the open, market, provided the open market price does not exceed the bid price.

(b) A record of all invitations for bids shall be kept and each bid, along with the name of each bidder responding thereto, shall be entered on this record. The successful bidder shall be indicated on this record, and if the award is not made to the lowest and best bidder the reasons therefor shall also be entered thereon. After the award of the order or contract the record shall be open to public inspection.

Section 3. Competitive bids need not be secured when making purchases of:

(1) Telephone or telegraph services, electric light and power service; and other utility services;

(2) Books and other printed matter on technical subjects;

(3) Perishable articles, such as fresh vegetables, fresh meat, eggs, milk and other foodstuffs;

(4) Commodities or services for which there is extreme or immediate need to meet actual emergencies involving danger to life or property or arising from unforeseen causes, such as delays by contractors, delays in transportation or unprecedented volume of work, or breakdowns in machinery.

Section 4. The Board of Revenue or other governing body of Walker County may promulgate additional rules not inconsistent with this Act, regulating the purchase of supplies, material, equipment and services for Walker County or any of its offices, departments, boards, agencies or institutions, other than boards of education, superintendent of education, schools and principals and teachers of schools. The board of education of Walker County may promulgate additional rules not inconsistent with this Act, regulating the purchasing of supplies, material, equipment and services for the schools and school system of Walker County.

Section 5. Any officer or employee of Walker County or any department, board, agency or institution thereof who awards a contract of purchases of any item or service enumerated in Section 1 hereof contrary to the provisions of this Act shall be liable personally for the cost

of such order or contract, and if the same has been paid by the county the amount paid by reason of such contract may be recovered by the county in an appropriate action therefor, but as to Walker County the contract shall be void and unenforceable.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws and all administrative rules and regulations, in conflict with this Act are repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

REUBEN L. NEWTON  
ALONZO SHUMATE  
T. K. SELMAN

7-21-4tc

### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ellouise Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Mountain Eagle Pub. Co., Inc., a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, Aug. 4, and Aug. 11, all in the year 1955.

ELLOUISE GRIFFIN.

Sworn to and subscribed before me August 15, 1955.

FAY O'REAR,  
Notary Public.

By Messrs. Oakley and Nettles:

H. 989. Relating to counties having a population of not less than 22,750 nor more than 23,500 inhabitants, according to the last or any subsequent federal decennial census; authorizing the county board of education of such counties to cancel the contract with any teacher by unanimous vote of the members of the board; and authorizing, directing, and requiring the county board of education of such counties to cancel the contract of any teacher who advocates integration of the races in the public schools, or who is a member of any organization or association which advocates integration of the races in the public schools.

Local Legislation No. 1.

By Mr. Albea (with notice and proof):

H. 990. Relating to the Office of Sheriff of Calhoun County: Providing for the furnishing of necessary supplies, materials, and equipment to the Sheriff; and repealing Sections 1, 3, and 7 of Act No. 607, H. 641, approved September 4, 1951 (Acts of Alabama, 1951, Page 1043).

Local Legislation No. 1.

Notice and Proof H. 990:

Notice is hereby given that application will be made for the enactment of a local law affecting Calhoun County at the 1955 Regular Session of the Legislature, the substance of said law to be as follows:

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of Calhoun County shall provide to the sheriff of Calhoun County, Alabama, all necessary equipment, supplies, materials, uniforms, and not more than five automobiles, with two-way communication radios, and motor fuel, tires and accessories for their operation, all to be furnished upon the written requisition of the sheriff.

Section 2. Sections 1, 3, and 7 of Act No. 607, H. 641, approved September 4, 1951 (Acts of Alabama, 1951, page 1043), are repealed. All other laws or parts of laws which conflict with this Act are also repealed.

Section 1 of said Act No. 607 provides that the governing body of Calhoun County shall furnish to the sheriff of the county, all necessary supplies, materials, and equipment including uniforms, needed for the efficient enforcement of the law in the county and for the efficient operation of the sheriff's office, including, but not limited to, five automobiles with two-way communication radios and motor fuel, tires and accessories for their operation, all to be furnished upon the written requisition of the sheriff. One such automobile shall be clearly identified as the county patrol, and used to patrol the county roads of Calhoun County.

Section 3 of said Act No. 607 provides that the sheriff of Calhoun County shall not be liable for the wrongful acts or omissions of his assistants, including special deputies sheriff, unless he participates in such acts or they are done in compliance with his orders or with his knowledge and consent.

Section 7 of said Act. No. 607 provides that the sheriff may appoint paid assistants as the need arises or as he deems proper, provided such special deputies are appointed without expense to Calhoun County.

(Signed) WOODROW ALBEA.

July 23, 30; Aug. 6, 13, 1955

Personally appeared before me Ralph W. Callahan, who, being duly sworn, makes oath that he is Business Manager of the Anniston Star, a daily newspaper published in Anniston, Ala., and that the attached notice was published on the following dates: July 23, 30; Aug. 6, 13, 1955.

RALPH W. CALLAHAN.

Sworn to and subscribed before me this 15 day of August, 1955.

L. JEAN WILKINSON,  
Notary Public.

By Mr. Speaks:

H. 991. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Chilton County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Ferrell (with notice and proof):

H. 992. To provide for and require the reidentification of each qualified electors in DeKalb County and to authorize the em-Registrars in DeKalb County to take the necessary action to purge the fied elector in DeKalb County, Alabama, and to require the Board of



ployment of investigators to assist in purging such lists; and to provide that any person making a willfully false statement in connection with reidentification shall be guilty of perjury; to provide for transfer of certain duties pertaining to preparation of ballots, list of voters, supervision and control of voters' lists and expenses of same from the office of the Judge of Probate to the Board of Registrars; to provide for the appointment of a secretary for the board of Registrars, and to fix his compensation, method of appointment and to provide for other employees of the Board of Registrars; to fix the duties of the secretary of the Board of Registrars, and to provide for the payment of the compensation of the secretary of the board of Registrars and other employees of the Board from the general fund of DeKalb County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 992:

NOTICE

STATE OF ALABAMA,  
DEKALB COUNTY.

Notice is hereby given that the present (1955) regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for and require the reidentification of each qualified elector in DeKalb County, Alabama, and to require the Board of Registrars in DeKalb County to take the necessary action to purge the lists of the qualified electors in DeKalb County and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a willfully false statement in connection with reidentification shall be guilty of perjury; to provide for transfer of certain duties pertaining to preparation of ballots, list of voters, supervision and control of voters' lists and expenses of same from the office of the Judge of Probate to the Board of Registrars; to provide for the appointment of a secretary for the Board of Registrars, and to fix his compensation, method of appointment and to provide for other employees of the Board of Registrars; to fix the duties of the secretary of the Board of Registrars, and to provide for the payment of the compensation of the secretary of the Board of Registrars and other employees of the Board from the general fund of DeKalb County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. The Board of Registrars in DeKalb County, Alabama, is hereby directed to purge all lists of the qualified electors in said county to the end that the names of all who are deceased or non-residents of DeKalb County or have otherwise become disqualified from voting therein shall be removed from such lists and to the end that the name of each qualified elector shall appear only on the list of qualified electors for the district and precinct in which he resides.

SECTION 2. The Board of Registrars in DeKalb County shall have authority to omit and remove from the lists of qualified electors in DeKalb County the name of any person who fails to reidentify himself to the Board of Registrars in one of the ways hereinafter pro-

vided. Any person removed from the lists of qualified electors as herein provided does not cease to be a qualified elector and shall not be subject to re-registration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being entitled to be listed on the lists of qualified electors in such county.

SECTION 3. A voter may reidentify himself in any one of the following ways:

(a). He may reidentify himself by appearing in person at the office of the Board of Registrars and answering such questions and submitting such proof as may reasonably be required by the Board of Registrars or one of its duly authorized employees to establish his identity and place of legal residence and that he has not become disqualified from voting in such County.

(b) He may also reidentify himself by filling in and mailing to the office of the Board of Registrars the completed answers to such questions as may reasonably be propounded and mailed to him in a written questionnaire by the Board of Registrars. Such Questionnaire may contain such questions as are reasonably necessary to establish the identity of the person signing such questionnaire and the place of his legal residence and that he has not become disqualified from voting in such county. All answers to such questionnaires shall be signed by the elector in the presence of at least two witnesses who are qualified electors of DeKalb County and who shall sign his answers as attesting witnesses.

SECTION 4. Any qualified elector in DeKalb County who shall have his name omitted or removed from the lists of qualified electors in DeKalb County by reason of his failure to reidentify himself as hereinabove provided or he otherwise purged therefrom shall be entitled to have his name restored to the lists of qualified electors by appearing in person and identifying himself in person at the office of the Board of Registrars or by answering in writing and signing a questionnaire prepared by the Board of Registrars, in the manner hereinabove provided.

SECTION 5. The Board of Registrars in DeKalb County shall meet as often as necessary subject to the approval of the governing body of DeKalb County, and on such dates as such Board may by order fix for the purpose of purging the lists of qualified electors of DeKalb County. Such Board may meet any number of days not exceeding thirty-five (35) per annum in excess of the maximum now provided by law for the purpose of purging such lists, and shall be entitled to the same per diem allowance, for meeting on such dates in excess of the maximum as now provided by law.

SECTION 6. Subject to the approval of the County Commission, Board of Revenue or other governing body in DeKalb County, the Board of Registrars shall have authority to employ such investigators as may be necessary to enable them to purge the voting lists. Any such employees shall be subject to the approval of the Board of Revenue or other governing body of DeKalb County.

SECTION 7. It shall be the duty of the Board of Registrars in DeKalb County to notify by mail each person whose name shall be removed from the lists of qualified electors, whether by purging or for failure of such elector to reidentify himself as herein provided at his last known address as shown by the records of such Board.

SECTION 8. Any person who makes a willfully false statement in answers to reidentification questionnaires or in response to re-

identification questions put to him or her by the Board of Registrars or any of its employees shall be guilty of perjury and upon conviction, shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

SECTION 9. The Board of Registrars shall have complete and exclusive power and control over the operation of the office of the Board of Registrars in DeKalb County, and the Board of Registrars shall employ a Secretary, at not less than \$2,400.00 per annum and not more than \$3,600.00 per annum to be paid as may be determined by the Governing Body of DeKalb County, and all clerks and personnel of such Board, and the Board shall have the exclusive appointing authority of such secretary and personnel, all of whom shall serve at the pleasure of the Board of Registrars; and the Board of Registrars shall have the exclusive control and supervision of all records pertaining to registration and voting in DeKalb County, Alabama; shall prepare and furnish ballots at all elections, lists of voters, and shall keep a list of all names of registered voters registered by precincts and shall publish such lists as may now be required by law, and at all elections shall furnish the inspectors with a list of all voters showing the names of the qualified electors authorized to vote in said election; shall perform all the duties in relation to any of the matters and things described in this Section which are now conferred upon the Board of Revenue or other governing body of DeKalb County except as otherwise provided in this Act, or upon the Judge of Probate of DeKalb County, or upon any other officer, and such duties are hereby divested from such governing body, Judge of Probate or other official and are hereby conferred upon the DeKalb County Board of Registrars, and all records pertaining to said matters are hereby transferred to the Board of Registrars. All operating expense of the DeKalb County Board of Registrars, including salaries of said secretary and other employees, shall be subject to the approval of the governing body of DeKalb County and shall be paid out of the general fund of said county, and no expense incurred by the Board of Registrars or its employees shall be charged against, or become a liability of the county unless authorized by the Board of Revenue or other governing body of the County. Payrolls and vouchers for the payment of said salaries and expenses shall be signed by the chairman of the Board of Registrars.

SECTION 10. For the purpose of carrying out the provisions of this Act, the Board of Registrars of DeKalb County may meet as often as may be necessary subject to the approval of the governing body of DeKalb County, in addition to the meeting days now permitted by law, but the expense of such additional meetings shall be paid by the Governing Body of DeKalb County on claims as may be filed by the Chairman of said Board as provided in this Act. Provided, however, the said Board shall not meet for more than 120 days during the year of 1955; and each year thereafter not more than 30 additional days to that already authorized by law. And shall be entitled to the same per diem allowance for meeting on such dates in excess of the maximum as now provided by law, and shall be paid out of the general fund of DeKalb County. Payroll vouchers for payment of said per diem shall be signed by the Chairman of the Board of Registrars, and verified by the members of the Board receiving such per diem, provided, however, no member of the Board of Registrars shall be paid for any day not actually served or attended by him on any meeting date provided in this Act.

SECTION 11. The DeKalb County Board of Revenue or other governing body of said County shall furnish to the Board of Registrars all the necessary supplies, and equipment and shall provide the said

Board of Registrars with suitable cabinets to protect the records of the Board of Registrars, and shall provide the Board with adequate office space in the Court House, and all the records pertaining to the office of the Board of Registrars shall be open at all reasonable times to the public.

SECTION 12. Should any paragraph, section or part of this Act be held unconstitutional, it shall not affect any other portion, part, section or paragraph of said Act which would otherwise be valid.

SECTION 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA  
DEKALB COUNTY**

Before me, W. M. Beck, a Notary Public in and for said County in said State, personally appeared E. O. Davidson, who being by me first duly sworn, deposes and says: That he is publisher of the "Fort Payne Journal", which during the times herein mentioned was a newspaper of general circulation published in DeKalb County, Alabama, and that the foregoing notice was published without cost to the state of Alabama in said newspaper in the issues thereof, published on June 29, July 6, July 13, and July 20, 1955.

E. O. DAVIDSON,

Sworn to and subscribed before me this 2nd day of August, A. D., 1955.

W. M. BECK,  
Notary Public.

By Messrs. Lackey, Vacca, Edwards (Jefferson), Nice, Kaul, Perry, and Meeks (with notice and proof):

H. 993. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Local Legislation No. 2.

Notice and Proof H. 993:

**NOTICE**

NOTICE is hereby given, without cost to the State, by publication in Jefferson County, Alabama, where the matter or thing to be affected is situated, of intention to apply at the present session of the Legislature of Alabama for introduction and passage of a bill, the substance of which, as distinguished from detail, is and will be the substance as distinguished from detail, of the following.

**A BILL  
TO BE ENTITLED  
AN ACT**

To Alter and Extend the Boundaries of the City of Birmingham.  
**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. That the boundaries of the City of Birmingham, in the County of Jefferson, State of Alabama, are hereby altered and extended so that said boundaries shall include within the corporate limits of said city all of the following described additional territory not presently located in said city, to-wit:

Begin at the Southwest corner of the Southeast quarter of the Southeast quarter of Section 1, Township 17 South, Range 2 West, being a point on the present corporate limits of the City of Birmingham; thence North along the present corporate limits of the City of Birmingham to the South line of U. S. Highway No. 11 on Birmingham Gadsden Highway; thence Westward and Northward along the present corporate limits of the City of Birmingham to the North line of Section 1, Township 17 South, Range 2 West; thence East along the present corporate limits of the City of Birmingham to a point 435.0 feet West of the Southeast corner of the Southwest quarter of the Southeast quarter of Section 31, Township 16 South, Range 1 West, which point is on the Eastern corporate limits of the City of Birmingham; thence North along the present corporate limits of the City of Birmingham to the North line of the Southwest quarter of the Southeast quarter of Section 31, Township 16 South, Range 1 West; thence East along said line to the East line of said Southwest quarter of the Southeast quarter of said Section 31; thence South along said East line and along the East line of the West half of the Northeast quarter of Section 6, Township 17 South, Range 1 west to the Northwest line of the right of way of the Louisville and Nashville Rail Road; thence Southwesterly along said right of way line to the South line of the North east quarter of the Southwest quarter of Section 6, Township 17 South, Range 1 West; thence West along said South line and along the South line of the Northwest quarter of the Southwest quarter of said Section 6, to the East line of Section 1, Township 17 South, Range 2 West; thence South along said East line to the South line of said Section 1; thence West along said South line to the point of beginning, being situated in Jefferson County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Messenger—July 23, 30; Aug. 6, 13, 1955.

#### AFFIDAVIT OF PUBLICATION

#### STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 23, 30; August 6, 13, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.

Publisher.

Sworn and subscribed to on this the 13th day of August, 1955.

MALCOLM L. WHEELER,  
Notary Public.

By Messrs. Lackey, Nice, Vacca, Edwards (Jefferson), Kaul, Perry and Meeks (with notice and proof):

H. 994. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Local Legislation No. 2.

Notice and Proof H. 994:

## NOTICE

Notice is hereby given, without cost to the State, by publication in Jefferson County, Alabama, where the matter or thing to be affected is situated, of intention to apply at the present session of the Legislature of Alabama for introduction and passage of a bill, the substance of which, as distinguished from detail is and will be the substance as distinguished from detail of the following.

A BILL  
TO BE ENTITLED  
AN ACT

To Alter and Extend the Boundaries of the City of Birmingham.  
BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Birmingham, in the County of Jefferson, State of Alabama, are hereby altered and extended so that said boundaries shall include within the corporate limits of said city all the following described additional territory not presently located in said city, to-wit:

Begin at the Southwest corner of the Southwest quarter of the Southeast quarter of Section 35, Township 16 South, Range 2 West, which point is on the present corporate limits of the City of Birmingham; thence North along the West line of said Southwest quarter of Southeast quarter of said Section 35, to the North line of said Southwest quarter of the Southeast quarter of said Section 35; thence East along said North line to the West line of the Northeast quarter of the Southeast quarter of said Section 35; thence north along said West line to the North line of said Northeast quarter of Southeast quarter of said Section 35; thence East along said North line to the East line of Long Street; thence North along said East line to the North line of Section 35, Township 16 South, Range 2 West; thence East along said North line and along the North line of Section 36, Township 16 South, Range 2 West, to the East line of the Northwest quarter of the Northwest quarter of said Section 36, said point being on the present corporate limits of the City of Birmingham; thence South along said corporate limits of the City of Birmingham to the South line of Roebuck View Survey; thence East along the present corporate limits of the City of Birmingham to the West line of Five Mile Road; thence South along said corporate limits to the South line of the Northeast quarter of the Northwest quarter of Section 36, Township 16 South, Range 2 West; thence West along said South line to the West line of Elizabeth Drive; thence South along the present corporate limits of the City of Birmingham to the North line of Roebuck Drive; thence West along said corporate limits 100 feet; thence South along said corporate limits to the South line of the Southeast quarter of the Northwest quarter of Section 36, Township 16 South, Range 2 West; thence West along said line, being the present corporate limits of the City of Birmingham to the West line of Roebuck Park Estates; thence South along said line, being the present corporate limits of the City of Birmingham and said line extended, to the North line of the Southeast quarter of the Southwest quarter of Section 36, Township 16 South, Range 2 West; thence east along said line to the West line of Crow's 1st Addition to Huffman; thence South along said line, being the present corporate limits of the City of Birmingham, to the South line of said Section 36, and the present corporate limits of the City of Birmingham; thence West along said corporate limits to the point of beginning, being situated in Jefferson County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Messenger—July 23, 30; Aug. 6, 13, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 23, 30; August 6, 13, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.  
Publisher.

Sworn and subscribed to on this the 13th day of August, 1955.

MALCOLM L. WHEELER,  
Notary Public.

By Messrs. Lackey, Vacca, Edwards (Jefferson), Nice, Kaul, Perry and Meeks (with notice and proof):

H. 995. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Local Legislation No. 2.

Notice and Proof H. 995:

NOTICE

Notice is hereby given, without cost to the State, by publication in Jefferson County, Alabama, where the matter or thing to be affected is situated, of intention to apply at the present session of the Legislature of Alabama for introduction and passage of a bill, the substance of which, as distinguished from detail, is and will be the substance as distinguished from detail of the following:

A BILL  
TO BE ENTITLED  
AN ACT

To Alter and Extend the Boundaries of the City of Birmingham.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Birmingham, in the County of Jefferson, State of Alabama, are hereby altered and extended so that said boundaries shall include within the corporate limits of said city all of the following described additional territory not presently located in said city, to-wit:

Begin at the intersection of the South line of Section 25, Township 16 South, Range 2 West and the West line of Five Mile Road, which point is on the present corporate limits of Birmingham; thence North along the West line of Five Mile Road and along the North line of Lot 6, Killough Springs First Addition to the West line of the East half of Section 25, Township 16 South, Range 2 West; thence North along

said West line to a point 350 feet South of the North line of the Southwest quarter of the Northeast quarter of said Section 25, thence East parallel with said North line to an intersection with the North line of Five Mile Road; thence Eastward along said North line to the West line of Section 30, Township 16 South, Range 1 West; thence South along said West line to the Southwest corner of the Southwest quarter of the Northwest quarter of Section 30, Township 16 South, Range 1 West; thence in an Easterly direction along the South line of said quarter-quarter section to the Southeast corner thereof; thence in a southerly direction along the west line of the northeast quarter of the southwest quarter of Section 30, Township 16 South, Range 1 West, to a point 110 feet South of the Northwest corner of the Northeast quarter of the Southwest quarter of Section 30, Township 16 South, Range 1 West; thence Eastward to a point on the West line of the Northeast quarter of the Southeast quarter of said Section 30, 625 feet North of the Southwest corner of the Northeast quarter of the Southeast quarter of said Section 30; thence South along said West line to the South line of said Northeast quarter of the Southeast quarter of said Section 30; thence East along said South line to the East line of said Section 30; thence South along said East line and along the East line of Section 31, Township 16 South, Range 1 West, to the South line of the Northeast quarter of the Northeast quarter of said Section 31; thence West along said South line to the East line of the West half of the East half of said Section 31; thence South along said East line to the Southeast corner of the Northwest quarter of the Southeast quarter of said Section 31; thence West along the South line of said Northwest quarter of the Southeast quarter of said Section 31, 264.0 feet to the present corporate limits of the City of Birmingham; thence continue Westward and Northward along the present corporate limits of the City of Birmingham to the point of beginning, being situated in Jefferson County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Messenger—July 23, 30; Aug. 6, 13, 1955.

#### AFFIDAVIT OF PUBLICATION

#### STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 23, 30; August 6, 13, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.  
Publisher.

Sworn and subscribed to on this the 13th day of August, 1955.

MALCOLM L. WHEELER,  
Notary Public.

By Messrs. Lackey, Vacca, Nice, Edwards (Jefferson), Kaul, Perry and Meeks (with notice and proof):



H. 996. To provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the regular session of the Legislature of 1923, as reenacted and amended: to include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents.

Local Legislation No. 2.

Notice and Proof H. 996:

### NOTICE

Notice is hereby given of intention to apply at the present regular 1955 session of the Legislature of Alabama for introduction and passage of a bill the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

### A BILL TO BE ENTITLED AN ACT

An Act to provide a Separate Retirement and Relief System for Certain of the Presently Active Employees of the City of Birmingham who entered the service of the Police Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System Provided by Act No. 502 of the Regular Session of the Legislature of 1923, as Reenacted and Amended; to Include in said Separate System Dependents of said Presently Active Employees; and to Render Said Act No. 502 Inapplicable to said Certain Presently Active Employees and Their Dependents.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Separate Retirement and Relief System Established.—There is hereby established a separate retirement and relief system for those certain forty three presently active employees of the City of Birmingham who entered the service of the police department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the regular session of the legislature of 1923, as reenacted and amended, and who are named as follows, to-wit: Jones T. Howell, William E. Coleman, Robert A. MacMurdo, Cecil B. Golden, Marion H. Cole, Abe Goldstein, William J. Haley, Otha B. Wilson, Harry V. Early, Carl C. Ray, Earl M. Heaton, James H. King, Edward W. Crump, Percy E. Jenkins, Drayton A. Scott, Trenton E. Lindsey, Benjamin F. Walker, Guy C. Boutwell, Arthur D. Kyle, Carl L. Ellison, Robert K. Austin, Woodrow W. Casey, Robert L. Hooper, Walter T. Jones, Clarence J. Patillo, Ronald L. Hallmark, William W. Rucks, Z. J. Claburn, Arthur F. Lovell, William D. Haynie, Norman C. Propst, William A. Parker, Charles L. Pierce, James H. Woolley, Samuel W. Hammett, Earl S. Collier, Willie M. Prier, William A. Dodson, Edward E. McNeal, Jamie Moore, Ellie T. Rouse, Charles L. Stevens and Bradley D. Pate.

Widows and children of the above named employees of the City of Birmingham shall be included in the retirement and relief system hereby established to the extent herein provided. Upon this act becoming effective the above named employees of the City of Birmingham shall be, and shall be deemed, mandatorily members of the retirement and relief system hereby established and shall cease to be members of the pension and relief system provided by Act No. 502 of the regular

session of the legislature of 1923, as reenacted and amended; and the provisions of said Act No. 502, as reenacted and amended, shall cease to be applicable to the above named employees of the City of Birmingham, their widows, children and mothers, but the provisions of this act shall become and thereafter be applicable to the above named employees of the City of Birmingham and, to the extent herein provided, their widows and children.

**Section 2. DEFINITIONS.**—The following words, terms, and phrases wherever used in this act, included this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

“The City”: The City of Birmingham.

“The 1923 system”: The pension and relief system provided by Act No. 502 of the regular session of the legislature of 1923, whether as originally enacted or as reenacted or amended.

“The system”: The retirement and relief system established by this act.

“In the service”: In the service of the city as a member (other than a reserve force member) of its police department or as a jail warden before, on or after the effective date of this act.

“Salary”: Money remuneration for time in the service.

“Payroll period”: A period of time for which a payment of salary is ordinarily made.

“Earnable daily rate”: Monthly rate of salary for time in the service divided by thirty.

“Salary days”: Such number of days of a payroll period as equals the actual amount of salary paid to or for or to and for a member of the system for time in the service in such payroll period, divided by the daily earnable rate of such member for such payroll period.

“Paid membership time”: The aggregate of salary days of a member of the system from the salary for which deduction is made pursuant to the provisions of this act for the treasury of the city. Three hundred sixty salary days shall constitute a year of paid membership time, but this shall not be construed to mean that less than 365 actual days may be counted as a year of creditable time.

“Prior service time”: Time of a member of the system in the service prior to the effective date of this act, except time in the service prior to said effective date for which the member of the system may have received no service pay from the city.

“Creditable time”: The creditable time of a member of the system shall include all his prior service time and all his paid membership time.

“Final average salary”: The final average salary of any member of the system for purposes of this act shall be the total amount of his salary for such period of five years of consecutive creditable time as may be most favorable to him, divided by sixty; provided, however, that if, because of fault, misconduct or inefficiency upon his part, a member of the system shall have been demoted more than five years prior to date of his retirement or date of commencement of his disability, as the case may be, such most favorable period shall be subsequent to date of demotion; provided, further, that if a member of the system shall

have been demoted for such cause within five years of date of his retirement or date of commencement of his disability, as the case may be, his final average salary shall be the total amount of his salary for the five years of his creditable time next preceding date of his retirement or date of commencement of his disability, as the case may be, divided by sixty; and provided, further, that no member of the system shall be deemed to earn, or to have earned, for any payroll period ending subsequent to the effective date of this act, salary at a rate in excess of five hundred dollars (\$500) per month.

“Beneficiary”: One in whose favor monetary benefits hereunder are accruing on account of retirement, widowhood, childhood or disability.

“Severance nominee”: One designated as such under section 9 of this act.

“The comptroller”: The comptroller of the city, or if hereafter the employee of the city whose duties are those of treasurer or chief financial employee shall be known by some other title, then the employee having said duties.

“The board”: The board of managers provided for by section 15 of this act for the administration, management and control of the system.

**Section 3. CONTRIBUTIONS BY MEMBERS OF THE SYSTEM.**—At the end of each payroll period ending subsequent to the effective date of this act, the city shall deduct from the salary of each member of the system an amount equal to six per centum (6%) of his salary for such payroll period, provided, however, that for the purpose of such deductions pursuant to the provisions of this section no member of the system shall be deemed to earn, or to have earned, salary at a rate in excess of five hundred dollars (\$500) per month. The city shall promptly pay each and every deduction in this section hereinabove provided for into the general treasury of the city (herein referred to as “the treasury”), and such deductions so paid into the treasury shall be known as a contribution of the member of the system to the treasury. The comptroller is specifically charged with the duty of making such deductions from salaries and of making such payments into the treasury. Such payments shall become and be part of the funds and assets of the treasury. The comptroller, however, shall keep a separate account of such deductions from salaries and payments thereof into the treasury and of all disbursements made pursuant to the provisions of this act and of all prior service time and paid membership time of members of the system. In the adjudication of claims under this act, the records of the comptroller made and kept for the purposes of this act shall be deemed prima facie, to speak the truth.

**Section 4. REFUND OF ERRONEOUS CONTRIBUTIONS.**—If measured by the provisions of this act, any amount shall be erroneously deducted from the salary of any person who is not a member of the system and paid into the treasury, such amount shall be refunded to such non-member.

**Section 5. BAR OF CLAIM OF CREDITABLE TIME.**—In the event the city should, through error, inadvertence or otherwise, neglect to make proper deduction for the treasury from the salary of any member of the system for any payroll period, the member of the system shall have a right to pay into the treasury the amount which should have been deducted for such payroll period at any time within three months after expiration of such payroll period, together with interest thereon, at the rate of six per cent (6%) per annum, and to count the principal so paid as a salary deduction contribution. In the event of failure of such mem-

ber of the system to so pay within such time, he shall forfeit any right to so pay thereafter. In the event any tender of such payment within such time, shall be refused, the member of the system may, within three months after such refusal, institute mandamus proceedings to compel acceptance, and in such proceedings the court shall treat as included in the proceedings the question of right of the member of the system to make contribution for any payroll period subsequent to the aforesaid payroll period and prior to date of its order for which proper salary deduction was not made. Nothing herein contained shall be construed to prevent the city from recovering at any time, with six per cent per annum interest, any amount which should have been deducted for any payroll period but which was not deducted.

Section 6. RETIREMENT ALLOWANCES.—(a) Any member of the system who shall be now or hereafter of the age of sixty or more years and who shall have now or hereafter accumulated fifteen or more years of creditable time, or any member of the system who, regardless of age, shall have now or hereafter accumulated twenty-five or more years of creditable time, shall be entitled to voluntarily retire from the service and obtain a retirement allowance, and if, being so entitled to voluntarily retire and obtain a retirement allowance, he should voluntarily retire, or be involuntarily retired from the service, he shall be entitled to a monthly retirement allowance from the treasury as hereinafter in this subdivision (a) of this section specified. The monthly amount which shall be allowed any member of the system who shall be entitled to a retirement allowance under this subdivision of this section shall be one and two-fifths per centum ( $1\frac{2}{5}\%$ ) of his final average salary multiplied by such number of years of his creditable time as shall not exceed twenty-five years of his creditable time, plus three and one-half per centum ( $3\frac{1}{2}\%$ ) of his final average salary multiplied by the number of years of his creditable time in excess of twenty-five years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty-two and one-half per centum ( $52\frac{1}{2}\%$ ) of his final average salary. The amount of any retirement allowance under this subdivision of this section shall commence to accrue at date of retirement. (b) Any member of the system who shall not be entitled to voluntarily retire and obtain a retirement allowance under subdivision (a) of this section, and who may be involuntarily retired after having accumulated (20) years of creditable time, shall be entitled to a monthly retirement allowance from the treasury equal to one and two-fifths per centum ( $1\frac{2}{5}\%$ ) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty-two and one-half per centum ( $52\frac{1}{2}\%$ ) of his final average salary. Anything hereinabove to the contrary notwithstanding, no retirement allowance shall be made or paid under this subdivision of this section to any person under sixty years of age unless, within sixty days after date of involuntary retirement or dismissal of such person, the personnel board or other agency governing tenure of service of employees of the city shall certify that such employee has not contributed by his own fault or misconduct to his separation from the service. If such certificate shall be made within said time the amount of retirement allowance shall commence to accrue at date of involuntary retirement, and if such certificate shall not be made within said time, the amount of retirement allowance shall commence to accrue at age sixty, provided there shall be no withdrawal of any amount pursuant to section 10. Anything hereinafter to the contrary notwithstanding, a retirement allowance under this subdivision of this section shall not accrue or be payable for any period during which such involuntarily retired person shall refuse or fail to accept proffered employment in the service at compensation equal to that he was receiving at the time he was involuntarily separated from the service.

(c) The board may treat the end of the payroll period next before actual date of retirement of a member of the system as the date of his retirement for purposes of computation, and, for such purposes, may disregard a fraction of a year of creditable time less than one-fourth ( $\frac{1}{4}$ ). (d) Subject to the provisions of subdivisions (b), (e) and (f) of this section, the amount of any retirement allowance which may have commenced to accrue in accordance with the provisions of this act shall continue to accrue throughout the life of such person. (e) If, after any person shall have retired or been retired as hereinabove in this section provided, and the amount of his retirement allowance shall have commenced to accrue, he should be re-employed in the service, he shall again become a member of the system under the terms of this act, and shall again contribute to the treasury as in the case of any other member of the system, and accrual of the amount of his retirement allowance shall be suspended during the period of his renewed employment in the service, and upon any subsequent voluntary or involuntary retirement from the service the amount of his former retirement allowance shall again commence to accrue at the same rate as formerly, and he shall be entitled to allowance of such additional amount, if any, as his additional paid membership time may have earned for him. (f) In the event of death of any member of the system after he shall have become entitled to voluntarily retire and obtain a retirement allowance, his widow, at the time of his death, provided she has been married to him for five consecutive years while he was employed in the service, shall be entitled to a monthly widow's allowance in an amount equal to forty per centum (40%) of the amount of monthly retirement allowance to which her deceased husband would have been entitled had he retired immediately before death; and in the event of death of any retired beneficiary in whose favor the amount of a monthly retirement allowance is accruing, his widow, at the time of his death, provided she was married to him for at least five years while he was in the service, shall be entitled to a monthly widow's allowance in an amount equal to forty per centum (40%) of the monthly amount of the retirement allowance accruing in favor of her deceased husband immediately prior to his death. (g) If a member of the system be killed in the line of his duty, his widow, if any, without regard to the time during which the marriage existed, shall be entitled to a monthly allowance of forty per centum (40%) of the final average salary of such member of the system plus a monthly allowance of ten per centum (10%) of the final average salary of such member of the system for each child of such widow by such deceased member of the system until such child shall die or reach the age of eighteen (18) years, whichever may first occur. In the event such member of the system killed in line of duty leaves no widow surviving, or in the event of the death of his widow, the monthly allowance provided hereby for any child of such deceased member of the system shall be payable to the legal guardian of, or to the person who has custody of, said child for the use and benefit of said child. The total amount of monthly allowances payable under this subdivision (g) to the widow and child or children of a deceased member of the system shall in no event exceed fifty per centum (50%) of the final average salary of such deceased member of the system. In the event there is more than one child of such deceased member of the system entitled to an allowance hereunder, the widow, if any, shall nevertheless receive forty per centum (40%) of the deceased member's final average salary, as hereinabove provided; and the allowance for the children, so long as there are a widow and more than one child receiving an allowance hereunder, shall be reduced equally so that in no event shall the total allowances paid hereunder exceed fifty per centum (50%) of the final average salary of such deceased member of the system. (h) The amount of a widow's allowance, provided for in (f) and (g) above shall com-

mence to accrue at the death of her husband, and shall continue to accrue to the time of her death or remarriage, whichever may first occur.

Section 7. DISABILITY ALLOWANCES.—(a) If any member of the system shall become totally disabled, either physically or mentally, to perform his customary duties, whether by reason of disease, injury, accident or otherwise, and the provisions of subdivision (b) of this section shall not be applicable, then, in the event such total disability shall continue for sixty consecutive calendar days from commencement thereof, such disabled person shall be entitled to a monthly disability allowance from the treasury equal to one and three-fourths per centum ( $1\frac{3}{4}\%$ ) of his final average salary multiplied by the number of years of his creditable time, such monthly allowance, however, not to exceed thirty-five per centum (35%) of his final average salary, and the amount of such disability allowance to commence to accrue at the expiration of sixty calendar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. An allowance under this subdivision of this section shall be known as an "ordinary disability allowance". (b) If a member of the system shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place, then, in the event such total disability shall continue for sixty consecutive calendar days from commencement thereof, such disabled person shall be entitled to a monthly disability allowance from the treasury equal to the lesser of three hundred dollars (\$300.00) or sixty per centum (60%) of his monthly salary at the time of the accident resulting in such total disability, the amount of such total disability allowance to commence to accrue at the expiration of such sixty consecutive calendar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties, or substantially comparable duties. An allowance made under this subdivision of this section shall be known as an "extraordinary disability allowance", but no disability allowance shall be made by the board under this subdivision of this section after twelve months after the accident resulting in such disability or if such accident occurred while the disabled person was employed by another than the city. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance and unless such resolution be passed within twelve months after the accident resulting in disability. In event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability and such total disability from such injury should thereafter cease, the board may, in its discretion, continue him on the disability roll until such time as, in the judgment of the board, he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. (c) No disability allowance shall be made by the board until after satisfactory proof has been made to the board of total disability by certificate of at least one licensed and practicing physician or surgeon. The board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The board may from time to time require further such certificates and other proof to determine whether total disability still exists. No disability pay shall be allowable or paid to any person for any period for which such person is due or has been paid any salary from or by the city. (d) Resumption of active duty by a member of the system after cessation of active duty on account of total disability shall be conclusive evidence

of termination of such total disability for the purposes of this act, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place should resume active duty within a time limit of twelve months after the accident resulting in total disability and for trial period or periods, not exceeding an aggregate of one hundred eighty days within such time limit of twelve months after such accident, then, such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions or any amount payable under Section 11 his right to continuance of disability benefits shall immediately cease.

**Section 8. REDUCTION OF ALLOWANCES.**—Any amount otherwise payable pursuant to the provisions of this act to any beneficiary for any month or part thereof on account of retirement, widowhood or disability shall be reduced by the amount, if any, paid or payable to such beneficiary for the same month or part thereof on account or by reason of employment of said beneficiary during such month as an employee of the city.

**Section 9. SEVERANCE NOMINEE.**—The comptroller shall keep a book or record in which any member of the system may designate the name of a person to receive return of contributions made by him, and any amount payable under Section 11, in the event of his death prior to commencement of accrual of a retirement allowance in his favor. Any such designation may be changed from time to time by the member of the system. Each such designation shall be signed and dated by the member of the system, and the last signed and dated designation shall prevail over any former designation. The rights of the last designated severance nominee shall be governed by Section 10.

**Section 10. SEPARATION FROM SERVICE; PAYMENTS BY REASON OF SALARY DEDUCTIONS; RE-EMPLOYMENT AND RESTORATION OF PAYMENTS BY REASON OF SALARY DEDUCTIONS.**—In the event that prior to the time he shall become a retirement beneficiary under the provisions of this act any member of the system should become separated from the service by death without widow or child entitled to an allowance hereunder or by discharge, dismissal, resignation, quitting or otherwise, he shall cease to be a member of the system, and, at the end of the payroll period in which any such event may occur, the treasury shall become liable for an amount equal to the aggregate of (a) the amount of contributions theretofore made to the treasury by such member of the system pursuant to section 3, without interest, less one-half of any disability benefits theretofore paid the member of the system pursuant to the provisions of this act, and (b) any amount that may be payable pursuant to section 11. The amount of such liability of the treasury shall be paid to the former member of the system if living. If such former member of the system be dead, however, the amount of such liability shall be paid to personal representatives who may qualify as such and make demand for payment within sixty days after death of such former member of the system, or, if there be no such qualification and demand, to the severance nominee of the former member of the system, or, if there be none, then to the spouse, children,

father, mother, sisters or brothers of deceased in order of priority as, enumerated. No amount due from the treasury under the foregoing provisions of this section shall bear interest until thirty days after proper demand for payment thereof. In the event any member of the system should become separated from the service and receive payment from the treasury pursuant to the foregoing provisions of this section and thereafter again become a member of the police department of the city he shall again become a member of the system and shall be liable to the city for restoration to the treasury of the full amount so received by him, and the comptroller shall deduct from the salary of such member of the system the amount of such liability for restoration in twenty monthly installments of substantially equal amount or in such lesser number of substantially equal restoration installment as will permit no installment to be less than ten dollars; provided, however, such member of the system shall have the right to pay in cash in advance of maturity, all restoration installments, or, in the inverse order of maturity, any number of installments less than all. Every restoration installment shall bear interest at the rate of six per centum per annum, and upon completion of payment thereof, with interest, the member of the system shall be entitled to count as creditable time all creditable time earned by him prior to so again becoming a member of the system. Anything hereinabove to the contrary notwithstanding, however, any person who may become liable for restoration under the foregoing provisions of this section may discharge himself of such liability and of interest thereon by filing with the comptroller within thirty days after attachment of such liability a written declaration that he elects to surrender creditable time prior to so again becoming a member of the system and to not be liable for restoration as in this section provided. Neither any member of the system or former member of the system, nor anyone claiming under him, shall be entitled to any payment from the treasury pursuant to the provisions of this section after the amount of any retirement allowance shall have commenced to accrue in his favor.

**Section 11. PAYMENT BY REASON OF SALARY DEDUCTIONS UNDER THE 1923 SYSTEM.**—Upon any return of contributions (less one-half of disability benefits) pursuant to Section 10 of this act there shall also be paid from the treasury, to the same person or persons, an amount equal to the aggregate of all deductions made subsequent to September 19, 1939 from the salary of the member of the system while he shall have been a member of the 1923 system less one-half of any disability benefits paid to him subsequent to September 19, 1939 as a member of the 1923 system.

**Section 12. LIABILITY OF MEMBERS OF THE SYSTEM TO THE CITY.**—Any debt or liability of a member of the system to the city shall be offset against, and deducted from, any amount due under the provisions of this act to the member of the system or those claiming under him either as a payment under Section 10 or as disability or retirement payments or otherwise, and only the balance, if any, shall be payable under the provisions of this act.

**Section 13. FALSE REPRESENTATIONS.**—It shall be a misdemeanor, and punishable as such, for any member of the system or beneficiary to knowingly make any false representation to the board or to the secretary of the board or to the comptroller or to any investigator or agent of the board in respect of any matter pertaining to the administration of the system.

**Section 14. EXEMPTIONS.**—No retirement or disability allowance nor any amount payable thereunder shall be subject to assignment or to any process for the collection of debts, provided that this shall not apply to assignments or debts to the city. Subject to section 9, no liability



of the treasury under section 10 shall be subject to assignment, and, subject to the provisions of section 10 in relation to payment to personal representatives, no liability of the treasury under section 10 shall be subject to any process for the collection of debts.

**Section 15. BOARD OF MANAGERS.**—(a) There shall be a board of managers for the administration, management and control of the system. The board shall consist of the board of managers (as from time to time constituted) of the City of Birmingham Retirement and Relief System provided for in Act No. 929 of the regular session of the legislature of 1951, as amended. The chairman and secretary of said board of managers of the said City of Birmingham Retirement and Relief System, from time to time in office, shall respectively be chairman and secretary of the board. The board is directorily required to meet at least once a month in the office of the chairman, or such other place as the board may designate, on the second Thursday, or such other day as the board may designate, in each calendar month. Any two members of the board, after due notice having been given to all members of the board, may meet in special meeting and transact any business of the board, provided the secretary be present and record the proceedings of the special meeting as hereinafter provided. The secretary of the board shall be present at every meeting of the board, and keep a record of all proceedings of the board and of all orders and decisions of the board. Neither the secretary nor any member of the board shall receive any salary or compensation for his services as such. Two members of the board, when assembled in either regular or special meeting, shall constitute a quorum for the transaction of any and all business of the board, and the affirmative vote of two members shall be necessary and sufficient to pass any motion or resolution. The board is empowered to make rules and regulations not inconsistent with the provisions of this act in relation to its affairs and the system. The board shall receive, investigate and pass upon all applications for retirement, disability, widow and child allowances and shall make retirement, disability, widow and child allowances in accordance with the provisions of this act to all persons entitled thereto under this act, and its decision upon all matters of fact shall be final and conclusive unless it shall be affirmatively made to appear that its decision is plainly and manifestly wrong. All disbursements pursuant to the provisions of this act shall be made from the treasury by the comptroller. No disbursement shall be made pursuant to the provisions of this act except pursuant to order or authorization of the board; but otherwise the powers of the board shall not extend to management of the funds or assets comprising or from time to time held in the treasury, or any part thereof.

**Section 16. REPEAL AND AMENDMENT RESERVATION.**—The legislature reserves the power to amend, alter or repeal this act.

**Section 17. NAME.**—The name of the system shall be "The Limited Policemen's Retirement and Relief System of Birmingham, Alabama."

**Section 18. EFFECTIVE DATE.**—This act shall become effective on the first day of the calendar month next succeeding the calendar month in which this act shall be approved by the Governor or otherwise become a law.

Messenger—July 23-30; Aug. 6-13, 1955.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me

first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 23, 30; August 6, 13, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.

Publisher.

Sworn and subscribed to on this the 13th day of August, 1955.

MALCOLM L. WHEELER,

Notary Public.

By Mr. Hare:

H. 997. To amend Sections 492 and 499 of Title 7, Code of Alabama (1940), which relate to proceedings to perpetuate testimony; providing that such proceedings may be commenced on the affidavit of the attorney for an interested party.

Judiciary.

By Mr. Hare:

H. 998. To provide that failure to comply with an order allowing the examination of a witness for the purpose of perpetuating testimony pursuant to Article 10 of Chapter 10, Title 7, Code of Alabama (1940), amounts to contempt of court; to prescribe penalties for such failure by a witness who is a party to the suit in which the testimony is needed, and to provide for the enforcement of such penalties.

Judiciary.

By Messrs. Goodwyn, Hall, Nolen and Dawkins (with notice and proof):

H. 999. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Local Legislation No. 1.

Notice and Proof H. 999:

Notice is hereby given that a bill substantially as follows will be introduced at the 1955 Regular Session of the Legislature of Alabama and application for its passage and enactment will be made.

A BILL  
TO BE ENTITLED  
AN ACT

To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Montgomery, in the County of Montgomery, and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery and included in the following boundaries, to-wit: Commence at the northeast corner of the southeast quarter of the southwest quarter of Section 25, Township 16 north, Range 17 east, which point is the intersection of the Montgomery City Limit and the center line of Cleveland Avenue, and also the point of beginning; thence travel west along

the Montgomery City limit line to the intersection of the west boundary of the Atlantic Coastline Railroad right-of-way; thence southeasterly along the west boundary of the Atlantic Coastline Railroad right-of-way to the intersection of the north boundary of the Southern Bypass; thence east along the north boundary of the Southern Bypass to the intersection of the center line of Cleveland Avenue which line is also a Montgomery City limit boundary; thence north along said centerline of Cleveland Avenue back to the point of beginning.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This act shall become effective October 1, 1955.

JNL July 20-27-August 3-10.

Montgomery, Alabama

STATE OF ALABAMA  
MONTGOMERY COUNTY

Before me T. A. Hardy a Notary Public in and for the State and County aforesaid personally appeared P. W. Walsh who first being duly sworn according to law deposes and says that: he is Secretary for The Advertiser Company, publishers of The Montgomery Advertiser and The Alabama Journal and that the advertisement of Capell, Howard & Cobbs appeared in said publication on July 20, 27, August 3, 10, 1955 and there is now due on said account the sum of \$..... which is due, just and unpaid and that no part of said account has been paid except as herein specified. ,

P. W. WALSH.

Sworn to and subscribed before me this 11 day of August, 1955.

T. A. HARDY,  
Notary Public Montgomery County Alabama

My Commission expires.....

By Messrs. Goodwyn, Nolen, Hall and Dawkins (with notice and proof):

H. 1000. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Local Legislation No. 1.

Notice and Proof H. 1000:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced at the 1955 regular session of the Legislature of Alabama and application for its passage and enactment will be made.

A BILL  
TO BE ENTITLED  
AN ACT

To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Montgomery, in the County of Montgomery, and State of Alabama, be and the same are

hereby altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery and included in the following boundaries, to-wit:

Commencing at the Southeast corner, Sec. 9, T16N, R18E, Montgomery County, Alabama, thence North along the East line of said Sec. 9, a distance of 1632.5 feet to a point, said point being the point of beginning and, also, Southeast corner of the Plat of Forest Hills, Plat No. 1, thence West along the South boundary of the plat of Forest Hills, Plat Nos. 1, 2 and 3, and Westerly along the extension of the South boundary of the said Plats 1, 2 and 3 of Forest Hills, to the half section line running North and South through the center of Sec. 9, T16N, R18E, thence North along said half section line running North and South through the center of Sec. 9, T16N, R18E, to the Northwest corner of the Southeast quarter of Sec. 9, T16N, R18E, thence East along the half section line running East and West through the center of Sec. 9, T16N, R18E to the East line of Sec. 9, T16N, R18E, thence South along the East line of Sec. 9, T16N, R18E, to the point of beginning.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective October 1, 1955.

Ala. Jour. July 23, July 30, Aug. 6, Aug. 13, 1955.

#### THE STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me I. B. Smith a Notary Public, in and for said County and State personally appeared P. W. Walsh for Advertising Manager "The Advertiser Company", publishers of The Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama, who deposes and says that the foregoing and attached is a true copy of a "Legal Notice" which appeared in the regular editions of the said newspaper published in said City and County of Montgomery on the following dates: July 23, July 30, August 6 and August 13, 1955.

P. W. WALSH.

Sworn to and subscribed before me this the 16 day of August, 1955.

I. B. SMITH.  
Notary Public.

By Messrs. Meeks, Nice, Perry, Kaul, Vacca, Edwards (Jefferson) and Lackey (with notice and proof):

H. 1001. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Local Legislation No. 2.

Notice and Proof H. 1001:

#### NOTICE

#### AN ACT

Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the municipality of Kimberly in Jefferson County are hereby altered, rearranged, and extended to include

within the corporate limits of the Town of Kimberly the following described territory situated in Jefferson County, Alabama, in addition to that already within the corporate limits, to-wit:

Begin at the southeast corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 35, Township 14, Range 3 West, Jefferson County, Alabama; thence run in a westerly direction along the south line of said quarter quarter section 554 feet; then turn to the right in a northerly direction and run in a line parallel to the east line of said quarter quarter section to the north line of said quarter quarter section; thence run east along the north a boundary line of the Town of Kimberly to the southwesterly line of the right-of-way of U. S. Highway No. 31; thence run in a southeasterly direction along the southwesterly line of the right-of-way of the said Highway No. 31 and in a southerly direction along the west line of said right-of-way of Highway No. 31 which is a boundary line of the Town of Kimberly to the southerly line of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 36, Township 14, Range 3 West, Jefferson County, Alabama; thence turn to the right and run in a westerly direction along the south line of said quarter quarter section which is a boundary line of the Town of Kimberly to the point of beginning, said property being partly in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 35, Township 14, Range 3 West, and partly in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 36, Township 14, Range 3 West, Jefferson County, Alabama and being adjacent to the easterly line of the Town of Kimberly.

Also begin at the northwest corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35, Township 14, Range 3 West, Jefferson County, Alabama, run thence in a northerly direction along the west line of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section township and range to the southwesterly line of the right-of-way of the Louisville and Nashville Railroad; thence turn to the south and east and run along the said southwesterly line of said railroad right-of-way to the southern line of the said NE $\frac{1}{4}$  NE $\frac{1}{4}$ ; thence turn to the right and run along the southern line of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35, Township 14, Range 3 West to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved.

Messenger—July 9-16-23-30, 1955.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 9, 16, 23, 30, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.  
Publisher.

Sworn and subscribed to on this 30th day of July, 1955.

MYRTLE P. LITTLE,  
Notary Public.

By Messrs. Cornett and Brassell (with notice and proof):

H. 1002. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Local Legislation No. 1.

Notice and Proof H. 1002:

#### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 75, H. 379, approved May 28, 1943, ~~the Act which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41), as amended by an Act approved June 19, 1947, is amended further to read as follows:~~

"Such deputy circuit clerk so appointed shall be paid a salary out of the general fund of Russell County of not less than one thousand eight hundred nor more than two thousand eight hundred twenty dollars per annum, to be paid in twelve equal monthly installments. The salary of the deputy circuit clerk shall be fixed by the county commission of Russell County."

Section 2. This Act shall become effective October 1, 1955.

22-29-5-12—4 Times

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Harold E. Poor, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Phenix City Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1955.

HAROLD E. POOR, SR.

Sworn to and subscribed before me August 12, 1955.

HAROLD E. POOR, JR.,  
Notary Public.

By Messrs. Cornett and Brassell (with notice and proof):

H. 1003. To amend Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Local Legislation No. 1.

Notice and Proof H. 1003:

### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To amend Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40), is amended to read as follows:

"The chief clerk so appointed shall be paid a salary of not less than one hundred fifty dollars nor more than two hundred thirty-five dollars per month, said salary to be fixed by the county commission of Russell County, Alabama."

Section 2. This Act shall become effective October 1, 1955.

22-29-5-12—4 Times

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Harold E. Poor, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Phenix City Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1955.

HAROLD E. POOR, SR.

Sworn to and subscribed before me August 12, 1955.

HAROLD E. POOR, JR.,  
Notary Public.

By Messrs. Cornett and Brassell (with notice and proof):

H. 1004. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Local Legislation No. 1.

Notice and Proof H. 1004:

#### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 16, H. 120, approved May 20, 1943, the Act which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy, and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9), as amended by an Act approved May 26, 1949, is amended further to read as follows:

"The salaries of the deputy tax assessor and the deputy tax collector shall be fixed by the county commission of Russell County, Alabama, at not less than one thousand eight hundred nor more than two thousand eight hundred twenty dollars per annum. Such salaries shall be paid by the county commission out of the general fund in the county treasury in twelve monthly installments."

Section 2. This Act shall become effective October 1, 1955.

22-29-5-12—4 Times

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Harold E. Poor, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Phenix City Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1955.

HAROLD E. POOR, SR.



Sworn to and subscribed before me August 12, 1955.

HAROLD E. POOR, JR.,  
Notary Public.

By Messrs. Payne and McKay (with notice and proof):

H. 1005. To further regulate the preparation of jury rolls and the filling and refilling of jury boxes of Talladega County and to provide for the method of serving notice upon jurors requiring their attendance for jury service in said county.

Local Legislation No. 1.

Notice and Proof H. 1005:

### LEGAL NOTICE

Notice is hereby given of the intention to apply for passage by the Legislature of the State of Alabama of a bill which is substantially as follows:

### AN ACT

### TO BE ENTITLED

To further regulate the preparation of jury rolls and the filling and refilling of jury boxes of Talladega County and to provide for the method of serving notice upon jurors requiring their attendance for jury service in said county.

### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Unless sooner required by order of the presiding Judge of the Circuit Court, the Jury Commission of Talladega County shall meet in the county courthouse in Talladega on the first Monday of October, 1955, and on said day each two years thereafter, make in a well-bound book a roll containing the name of every male citizen living in the county who possesses the qualifications prescribed by law and who is not exempted by law from serving on juries. The roll shall be arranged alphabetically and by precincts in their numerical order and the jury commission shall cause to be written on the roll opposite every name placed thereon their name, occupation and place of business of every person selected and if the residence has a street number, it must be given. Upon completion of the roll, the Jury Commission shall cause to be prepared plain white cards, all of the same size and texture and shall have written or printed on the cards the name, occupation, place of residence and place of business of the persons whose name has been placed on the jury roll; writing or printing but one person's name, occupation, place of residence and of business on one card. When the cards have been so prepared, the Jury Commission may then segregate, remove and set aside the cards bearing the name of all jurors who served as jurors during the two years next preceding September 15th of that year. The names of the jurors on the cards so removed shall continue on the rolls as qualified jurors, but the cards shall not then be placed in the jury box, but shall be retained as a reserve to be used as hereinafter provided. All other cards prepared as herein provided, shall then be placed in a substantial metal box provided with a lock and two keys, which box shall be kept in a safe or vault in the office of the Probate Judge, and if there be none in that office, the Jury Commission shall deposit it in any safe or vault in the Court House to be designated on the minutes of the Commission, and one of said keys thereof shall be kept by the President of the Jury Commission. The other of said keys shall be kept by the Presiding Judge of the Circuit Court for the sole use of the Judges of the Courts of said county needing

jurors. The jury roll shall be kept securely and for the use of the Jury Commission exclusively. It shall not be inspected by anyone except the members of the Commission or by the Clerk of the Commission upon authority of the Commission, unless under an order of a Judge of the Circuit Court or other court of record having jurisdiction.

Section 2. Whenever the names in the jury box are exhausted or so far depleted that they will probably be exhausted at the next drawing of jurors; or whenever it shall appear to the Presiding Judge of the Circuit Court or Court of like jurisdiction that the jury box is so nearly exhausted as to require refilling, and the said Judge shall notify the President of the Jury Commission; the said Jury Commission shall thereupon place into the jury box all cards containing the names of jurors as prepared under the provisions of this Act in Section 1 and which have been withheld from the box when filled and set aside as a reserve. Provided, however, that in placing the cards held as a reserve in the box the Jury Commission may delete and withhold the cards of the names of any jurors who have died or have otherwise become disqualified from serving as jurors.

Section 3. Notices of the requirement of the attendance of jury service may be served by registered mail, or may be served as provided by Section 33 of Title 30, Code of Alabama of 1940. Should in the discretion of the sheriff the service be made by registered mail, such service shall be as follows: It shall be the duty of the Sheriff of the County to enclose the summons in an envelope addressed to the person to be served and place all necessary postage thereon and demand a return receipt. When a return receipt, signed by the addressee is returned to the sheriff by the post office department of the United States the sheriff shall thereupon mark the process executed and it shall be considered for all purposes as sufficient personal and legal service. In the event said jury summons so mailed should be returned to the sheriff by the post office department of the United States without delivery to the addressee then the sheriff shall immediately make every effort personally to serve said summons. The provisions of this section in reference to service by registered mail, however, shall not apply to jury summons returnable before the court instantler, but such summonses shall be served only as provided by Section 33 of Title 30, Code of Alabama of 1940.

Section 4. The clerks of the several courts in which juries are empaneled shall, from time to time as the juries are empaneled, certify to the Jury Commission the names of all persons so empaneled, and the Clerk of the Commission, under the direction of the Commission, shall note opposite the names of such persons on the jury roll the date on which and the court in which they were empaneled.

Section 5. The clerks of the several courts shall also certify to the Jury Commission the names of all persons who have been found by the Court to be disqualified or exempt, which fact shall be noted opposite their respective names on the jury roll.

Section 6. Any authority, right, power and duty heretofore imposed by law on the Jury Commission of the county or the clerk thereof, and which is not by this Act specifically repealed, shall hereafter be exercised or performed by the Jury Commission or the clerk thereof, respectively.

Section 7. That all laws in conflict with any of the provisions of this Act be and the same are hereby repealed, it being the intent of the Legislature that the subjects covered by this Act be the exclusive law on such subjects in Talladega County. Provided, however, nothing

contained in this Act shall be construed to limit the present authority of the Judge of the Circuit Court or other Court of like jurisdiction from exercising any of the power given such Judge under Title 30, Section 22 of the Code of Alabama of 1940.

Section 8. That in the event any section, clause or provision of this Act shall be declared invalid or unconstitutional, it shall not be held to affect any other section, clause or provision of this Act, but the same shall remain in full force and effect.

Section 9. This Act shall take effect immediately upon its passage and approval by the Governor.

Jl. 25; A. 1-8-15

**THE STATE OF ALABAMA,  
TALLADEGA COUNTY.**

Personally appeared before me, a Notary Public in and for said County, Ila L. Davis, who being duly sworn according to law, deposes and says that she is the Bookkeeper of the Talladega Daily Home, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: Jly 25, 1955, Aug. 1, 1955, Aug. 8, 1955, Aug. 15, 1955.

**ILA L. DAVIS.**

Subscribed and sworn to before me this 15th day of August, 1955.

**ELIZABETH M. YOUNG,**  
Notary Public.

By Messrs. deGraffenried, Hare, Ashworth, Callahan, Fite, Haltom, Nice and Simon:

H. 1006. To provide for the taking of depositions of witnesses or parties upon oral examination for discovery of for use as evidence; to prescribe the scope of the examination, use of such depositions, effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; and to prescribe penalties for the failure of such person to appear for such examination.

**Judiciary.**

**RESOLUTIONS**

The following resolutions were introduced:

By Mr. Kelly:

H. R. 66. Resolved by the House, that the Clerk of the House be directed to request the Senate to return for further consideration the bill, H. B. 102, which passed the House on the 10th day of May, the third legislative day.

On motion of Mr. Kelly the rules were suspended and H. R. 66 was adopted.

Also:

By Mr. Gilchrist:

H. J. R. 67. Whereas the Legislature appropriated and made available to the State Department of Public Welfare during the second special session of 1955 approximately nine million dollars for the payment of benefits to the recipients of old age assistance; and

Whereas it was the intention of the Legislature that maximum benefits would be given to the needy aged who were in the worst financial condition; and

Whereas the State Department of Public Welfare has liberalized its policy and has placed additional thousands of recipients on the rolls, and as a result the benefits payable to individual recipients have not been substantially increased as was intended; and

Whereas it is inevitable that individual recipients will receive substantially reduced benefits if present policy is continued and the rolls further increased; and

Whereas there is widespread misapprehension about the old age assistance program, and an erroneous belief that old age assistance payments are in the nature of a pension payable to all persons over the age of 65, despite the fact that under federal law and federal regulations old age assistance payments can be made only on the basis of need, are payable only to persons over the age of sixty-five who are in need and have not sufficient resources to provide a reasonable subsistence, and cannot be based on age alone; therefore,  
**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING,** that the Commissioner of the State Department of Public Welfare is requested 1) to undertake immediately to inform the public adequately and properly of all the facts concerning eligibility for the receipt of old age assistance, in order that the erroneous conviction of numerous persons be cleared up, and 2) that the State Department of Public Welfare adopt a more conservative policy regarding the addition of recipients to the old age assistance rolls so that maximum benefits can be paid to the persons having the greatest need, in accordance with the policy adopted by the Legislature.

The motion of Mr. Adams to suspend the rules in order to extend time for Mr. Gilchrist to speak was adopted.

Yeas 79; Nays 8.

**Yeas:**

Messrs.	Edwards (Escambia)	Johnson (Elmore)	Oden
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Payne
Ashworth	Faulk	Kaul	Perry
Bassett	Ferrell	Kendall	Pruitt
Boyd	Franklin	Killough	Reynolds
Bradford	Gilchrist	Kirkham	Richardson
Brannan	Goodwyn	Lackey	Roberts
Brassell	Grouby	Lee (Barbour)	Selman
Brewer	Hain	Locke (Perry)	Shumate
Brooks	Hall	McClendon	Simon
Burkhalter	Haltom	McKay	Solomon
Callahan	Hanby	McLendon	Speaks
Cornett	Hardy	McNider	Steagall
Crook	Hare	Martin	Stokes
Davis	Harrison	Meeks	Summerlin
Dawkins	Harvey	Molette	Thomas
deGraffenried	Hawkins	Nettles	Tyson
Dement	Hodges	Nice	Vacca
DeSear	Hunt	Nolen	Ward
Dickson	Jenkins	Oakley	Windle

**Nays:**

Messrs.	Holliman	Money	Taylor
Gist	Kelly	Stembridge	Wood
Gregory			

—8

The motion of Mr. Gilchrist to suspend the rules in order to place the resolution for immediate adoption was lost.

Yeas 47; Nays 46.

**Yeas:**

Messrs.	Faulk	Hunt	Nice
Boyd	Gilchrist	Kaul	Nolen
Bradford	Goodwyn	Kendall	Oakley
Brannan	Hain	Killough	Perry
Brewer	Haltom	Kirkham	Pruitt
Brown (Lee)	Hanby	Lackey	Richardson
Cornett	Hardy	Lee (Barbour)	Roberts
Crook	Hare	Locke (Perry)	Simon
deGraffenried	Harrison	McLendon	Solomon
DeSear	Harvey	Meeks	Thomas
Dickson	Holliman	Molette	Tyson
Edwards (Jefferson)	Huddleston	Nettles	Windle

—47

**Nays:**

Mr. Speaker	Davis	Johnson (Elmore)	Money
Adams	Dawkins	Johnson (Tallapoosa)	Oden
Albea	Dement	Kelly	Payne
Ashworth	Edwards (Escambia)	Law	Pirkle
Bassett	Ferrell	Lee (Lawrence)	Selman
Branyon	Franklin	Love	Shumate
Brassell	Gist	McKay	Speaks
Broadfoot	Gregory	McNider	Steagall
Brooks	Grouby	Mathews	Stokes
Brown (Lamar)	Hall	Mathison	Ward
Burkhalter	Hawkins	Merrill	Wood
Cox	Hodges		

—46

And said resolution H. J. R. 67 was read and referred to the Standing Committee on Rules.

# REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

**Mr. Speaker:**

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 51. To amend Section 55 of Title 30 of Code of Alabama of 1940, relating to challenge of jurors for cause.

**Also:**

H. 122. To amend Act No. 292, S. 292, approved July 9, 1945 (General Acts of Alabama, 1945, page 482) which provided for the examination, licensing and regulation of licensed practical nurses.

Also:

H. 123. To amend further Act No. 96, H. 102, approved June 15, 1945, (General Acts of Alabama, 1945, page 92) which relates to schools of nursing and the examination, regulation and registration of nurses.

Also:

H. 214. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Also:

H. 215. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Also:

H. 217. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

Also:

H. 434. To amend Sections 368 and 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Also:

H. 435. To amend Section 8, and Section 12 of Act 515, H. 93, approved July 9, 1945, (General Acts 1945, page 734) as amended, which relates to the Employees' Retirement System of Alabama.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### BILLS ON THIRD READING

H. 193. To define, regulate and license barbers and barber shops, barber colleges and like businesses, to create a State Board of Barber Examiners, define their powers and duties, fix their compensation, fix and prescribe license fees for barbers, barber shops, barber colleges and like businesses, to prescribe penalties and punishment for the violation of this act.

Was again taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Health, said substitute being set out in the Journal of the House for the twenty-sixth legislative day.

And the substitute was adopted.

Yeas 55; Nays 23.

**Yeas:**

Mr. Speaker	Dement	Johnson (Elmore)	Nolen
Bassett	Edwards (Escambia)	Kelly	Oakley
Boyd	Edwards (Jefferson)	Kendall	Payne
Bradford	Ferrell	Killough	Perry
Brannan	Gilchrist	Lackey	Reynolds
Brassell	Gist	Law	Roberts
Brewer	Goodwyn	Lee (Lawrence)	Simon
Broadfoot	Hall	McKay	Speaks
Brown (Lamar)	Haltom	McLendon	Stokes
Callahan	Hare	McNider	Taylor
Cornett	Harrison	Meeks	Tyson
Cox	Hawkins	Money	Vacca
Dawkins	Hodges	Nettles	Wood
deGraffenried	Huddleston	Nice	

—55

**Nays:**

Messrs.	Franklin	Holliman	Pruitt
Ashworth	Gregory	Hunt	Ramey
Brooks	Grouby	Lee (Barbour)	Richardson
Brown (Lee)	Hain	Love	Solomon
Davis	Hardy	Martin	Thomas
Dickson	Harvey	Molette	Windle

—23

And said bill, H. 193, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 51; Nays 33.

**Yeas:**

Mr. Speaker	deGraffenried	Hawkins	Nice
Bassett	Dement	Huddleston	Nolen
Boyd	Edwards (Escambia)	Johnson (Elmore)	Payne
Bradford	Edwards (Jefferson)	Kelly	Reynolds
Brannan	Ferrell	Killough	Roberts
Brassell	Gilchrist	Kirkham	Simon
Brewer	Gist	Lackey	Speaks
Broadfoot	Goodwyn	Law	Steagall
Brown (Lamar)	Hall	Lee (Lawrence)	Stokes
Callahan	Haltom	McNider	Taylor
Cornett	Hanby	Money	Tyson
Cox	Hare	Nettles	Wood
Dawkins	Harrison		

—51

**Nays:**

Messrs.	Franklin	Johnson (Tallapoosa)	Merrill
Adams	Gregory	Kendall	Molette
Albea	Grouby	Love	Pruitt
Ashworth	Hain	McClendon	Ramey
Brooks	Hardy	McLendon	Richardson
Brown (Lee)	Hodges	Martin	Solomon
Burkhalter	Holliman	Mathews	Thomas
Davis	Hunt	Mathison	Windle
Dickson	Jenkins		

—33

## MOTION TO RECONSIDER TABLED

On motion of Mr. Huddleston, his motion to reconsider the vote by which the bill, H. 193, as amended, was passed, was laid upon the table.

And the bill:

H. 741. To Alter and Extend the Boundaries of the City of Mountain Brook.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 1.

## Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Payne
Adams	Faulk	Kaul	Perry
Albea	Ferrell	Kelly	Pirkle
Bassett	Franklin	Kendall	Pruitt
Boyd	Gist	Killough	Ramey
Bradford	Goodwyn	Lee (Barbour)	Reynolds
Brannan	Gregory	Lee (Lawrence)	Richardson
Branyon	Grouby	Locke (Perry)	Roberts
Brassell	Hain	Love	Selman
Brewer	Hall	McClendon	Simon
Broadfoot	Haltom	McKay	Solomon
Brooks	Hanby	McLendon	Speaks
Brown (Lamar)	Hardy	McNider	Steagall
Burkhalter	Hare	Martin	Stokes
Callahan	Harrison	Mathews	Summerlin
Cox	Harvey	Mathison	Taylor
Crook	Hawkins	Meeks	Thomas
Davis	Hodges	Merrill	Tyson
Dawkins	Holliman	Money	Vacca
Dement	Huddleston	Nice	Ward
DeSear	Hunt	Nolen	Windle
Dickson	Jenkins	Oden	Wood
Edwards (Escambia)	Johnson (Elmore)		

—90

Nays: Mr. Lackey.

—1

And the bill:

S. 272. Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

Was read a third time at length and lost.

Yeas 25; Nays 55.

## Yeas:

Messrs.	Brannan	Brown (Lamar)	Callahan
Boyd	Brassell	Brown (Lee)	Cornett



Dawkins	Hain	Lackey	Stembridge
deGraffenried	Hall	Meeks	Summerlin
Edwards (Escambia)	Haltom	Nolen	Ward
Edwards (Jefferson)	Huddleston	Reynolds	Wood
Goodwyn	Kelly		

—25

**Nays:**

Mr. Speaker	Gregory	Killough	Oden
Ashworth	Grouby	Kirkham	Payne
Bradford	Hanby	Law	Pirkle
Branyon	Hardy	Lee (Barbour)	Pruitt
Brewer	Hare	Lee (Lawrence)	Selman
Burkhalter	Harrison	Locke (Perry)	Shumate
Cox	Harvey	McClendon	Solomon
Crook	Hawkins	McLendon	Steagall
Davis	Hodges	McNider	Stokes
DeSear	Holliman	Mathison	Taylor
Dickson	Hunt	Molette	Thomas
Ferrell	Jenkins	Money	Vacca
Franklin	Johnson (Elmore)	Nettles	Windle
Gilchrist	Kendall	Oakley	

—55

The motion of Mr. Brewer to reconsider the vote by which the bill, S. 272, was lost, was adopted.

**And said bill:**

S. 272. Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

Was again read at length and passed.

Yeas 45; Nays 26.

**Yeas:**

Messrs.	Cornett	Haltom	Perry
Bassett	Dawkins	Hare	Reynolds
Boyd	deGraffenried	Kelly	Richardson
Bradford	Dement	Kendall	Roberts
Brannan	Edwards (Escambia)	Lackey	Simon
Branyon	Edwards (Jefferson)	McClendon	Speaks
Brassell	Ferrell	Mathews	Summerlin
Brewer	Gilchrist	Meeks	Taylor
Broadfoot	Gist	Money	Tyson
Brown (Lamar)	Goodwyn	Nice	Ward
Brown (Lee)	Hain	Nolen	Wood
Callahan	Hall		

—45

**Nays:**

Messrs.	Dickson	Grouby	Harrison
Brooks	Franklin	Hanby	Hawkins
Cox	Gregory	Hardy	Hodges

Holliman  
Hunt  
Killough  
Lee (Lawrence)

McLendon  
Mathison  
Molette  
Payne

Pirkle  
Selman  
Solomon  
Steagall

Stokes  
Thomas  
Windle

—26

And the bill:

H. 809. Relating to counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the last or any subsequent decennial census of the United States; and having two court houses and a court of county commissioners; providing for the furnishing of equipment, supplies, and additional clerks to the tax assessor and the tax collector in such counties.

Was taken up.

Mr. Stokes offered the following substitute for the bill, H. 809:

#### SUBSTITUTE FOR H. B. 809

#### A BILL TO BE ENTITLED AN ACT

Relating to counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of equipment, supplies, and additional clerks to the tax assessor and the tax collector in such counties.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This Act shall apply only to counties having a population of not less than 30,700 nor more than 31,400 inhabitants, according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners.

Section 2. The court of county commissioners of every county to which this Act applies is hereby authorized to provide equipment, supplies, and a clerk or clerks to the tax assessor and the tax collector of the county; but the tax assessor and the tax collector shall select, and fix the compensation of, such clerk or clerks for their respective offices; provided, however, that the combined expenses of such equipment, supplies, and clerk or clerks shall not exceed one thousand eight hundred dollars (\$1,800) per annum for each of such offices. The tax assessor and the tax collector shall each have the right to discharge at will the clerk or clerks employed under the provisions of this Act, as such clerk or clerks shall serve only at the pleasure of the officer appointing them. The salaries or compensation of such clerk or clerks shall be paid in equal monthly installments out of the general funds of the county, upon separate warrants drawn in the same manner as other employees of the county are paid.

Section 3. This Act shall be deemed to have been enacted to grant continual clerk hire for the office or offices of the tax assessor and the tax collector in any branch court house and for other purposes necessary to the efficient operation of such office or offices. The clerk or clerks authorized herein shall be in lieu of the deputy or clerk provided for by Act No. 948, H. 1017, approved September 12, 1951 (Acts of Alabama, Regular Session, 1951, p. 1618).

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 90; Nays 0.

**Yeas:**

Mr. Speaker	Faulk	Kendall	Oakley
Adams	Ferrell	Killough	Oden
Albea	Franklin	Kirkham	Payne
Ashworth	Gilchrist	Lackey	Perry
Bassett	Gist	Lee (Barbour)	Pirkle
Boyd	Goodwyn	Lee (Lawrence)	Pruitt
Bradford	Gregory	Locke (Perry)	Ramey
Brannan	Grouby	Love	Reynolds
Branyon	Hain	McClendon	Richardson
Brassell	Hall	McKay	Selman
Brewer	Haltom	McLendon	Solomon
Brooks	Hanby	McNider	Speaks
Brown (Lamar)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Harvey	Meeks	Summerlin
Cox	Hawkins	Merrill	Taylor
Davis	Hodges	Molette	Thomas
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Nettles	Ward
Dickson	Jenkins	Nice	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Nolen	Wood
Edwards (Jefferson)	Kelly		

—90

And said bill, H. 809, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Dawkins	Harrison	McClendon
Adams	deGraffenried	Harvey	McKay
Albea	Dement	Hawkins	McNider
Ashworth	DeSear	Hodges	Martin
Bassett	Edwards (Escambia)	Holliman	Mathews
Boyd	Edwards (Jefferson)	Huddleston	Mathison
Bradford	Faulk	Hunt	Meeks
Brannan	Ferrell	Jenkins	Merrill
Branyon	Franklin	Johnson (Elmore)	Molette
Brassell	Gilchrist	Johnson (Tallapoosa)	Money
Brewer	Gist	Kelly	Nettles
Brooks	Gregory	Kendall	Nice
Brown (Lamar)	Grouby	Killough	Nolen
Burkhalter	Hain	Kirkham	Oakley
Callahan	Hall	Lackey	Oden
Cornett	Haltom	Lee (Barbour)	Payne
Cox	Hanby	Lee (Lawrence)	Perry
Crook	Hardy	Locke (Perry)	Pirkle
Davis	Hare	Love	Pruitt

Ramey	Solomon	Stokes	Vacca
Reynolds	Speaks	Summerlin	Ward
Richardson	Steagall	Taylor	Windle
Selman	Stembridge	Thomas	Wood

—92

And the bill:

H. 810. Relating to Chilton, Coosa and Elmore Counties; to prohibit the taking of fish from the public waters of these counties with hoop and fyke nets, seines, gill nets, trammel nets, fish traps or any other kind of commercial fishing gear, except setlines, trotlines, snaglines and licensed baskets.

Was taken up.

Mr. Law offered the following amendment to the bill, H. 810:

#### AMENDMENT TO H. B. 810

Strike out Section 3 of the bill and insert in lieu thereof the following:

Section 3. All laws or parts of laws in conflict with this Act are hereby repealed. Act No. 17, H. 93, approved May 26, 1955, insofar as it applies to Elmore County, is also repealed as of December 31, 1955.

And the amendment was adopted.

Yeas 86; Nays 0.

#### Yeas:

Mr. Speaker	Ferrell	Kendall	Nice
Albea	Franklin	Kiliough	Nolen
Ashworth	Gilchrist	Kirkham	Oakley
Bassett	Gist	Lackey	Payne
Boyd	Goodwyn	Law	Perry
Bradford	Gregory	Lee (Barbour)	Pirkle
Brannan	Grouby	Lee (Lawrence)	Pruitt
Brassell	Hain	Locke (Perry)	Reynolds
Broadfoot	Hall	Love	Richardson
Brooks	Haltom	McClendon	Selman
Brown (Lamar)	Hardy	McKay	Shumate
Brown (Lee)	Hare	McLendon	Solomon
Callahan	Harrison	McNider	Speaks
Cox	Harvey	Martin	Steagall
Davis	Hawkins	Mathews	Stembridge
Dawkins	Hodges	Mathison	Summerlin
deGraffenried	Holliman	Meeks	Taylor
Dement	Huddleston	Merrill	Vacca
DeSear	Hunt	Molette	Ward
Edwards (Escambia)	Jenkins	Money	Windle
Edwards (Jefferson)	Johnson (Elmore)	Nettles	Wood
Faulk	Kelly		

—86

And said bill, H. 810, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

#### Yeas:

Mr. Speaker	Bassett	Brannan	Brooks
Albea	Boyd	Brassell	Brown (Lamar)
Ashworth	Bradford	Broadfoot	Brown (Lee)

Burkhalter	Hall	Lee (Lawrence)	Payne
Callahan	Haltom	Locke (Perry)	Perry
Cox	Hanby	Love	Pirkle
Crook	Hardy	McClendon	Pruitt
Dawkins	Hare	McKay	Reynolds
deGraffenried	Harrison	McLendon	Richardson
Dement	Harvey	McNider	Selman
DeSear	Hawkins	Martin	Shumate
Edwards (Escambia)	Hodges	Mathews	Solomon
Edwards (Jefferson)	Holliman	Mathison	Speaks
Faulk	Hunt	Meeks	Steagall
Ferrell	Jenkins	Merrill	Stembridge
Franklin	Johnson (Elmore)	Molette	Summerlin
Gilchrist	Kelly	Money	Taylor
Gist	Kendall	Nettles	Thomas
Goodwyn	Killough	Nice	Vacca
Gregory	Lackey	Nolen	Ward
Grouby	Law	Oakley	Windle
Hain	Lee (Barbour)	Oden	Wood

—88

**And the bill:**

H. 844. Relating to Jackson County; regulating further the office of the sheriff of Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or like governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Jenkins	Money
Adams	Faulk	Johnson (Elmore)	Nettles
Albea	Ferrell	Johnson (Tallapoosa)	Nice
Ashworth	Franklin	Kaul	Nolen
Bassett	Gilchrist	Kendall	Oakley
Boyd	Gist	Killough	Oden
Bradford	Goodwyn	Kirkham	Payne
Brannan	Gregory	Lackey	Perry
Brassell	Grouby	Lee (Barbour)	Pirkle
Brewer	Hain	Lee (Lawrence)	Pruitt
Broadfoot	Hall	Locke (Perry)	Ramey
Brooks	Haltom	Love	Reynolds
Brown (Lamar)	Hanby	McClendon	Richardson
Brown (Lee)	Hardy	McKay	Selman
Burkhalter	Hare	McLendon	Shumate
Cox	Harrison	McNider	Simon
Crook	Harvey	Martin	Solomon
Dawkins	Hawkins	Mathews	Speaks
deGraffenried	Hodges	Mathison	Steagall
Dement	Holliman	Meeks	Stembridge
DeSear	Huddleston	Merrill	Summerlin
Edwards (Escambia)	Hunt	Molette	Taylor

Thomas  
Vacca

Ward

Windle

Wood

—93

And the bill:

H. 845. To amend further Act No. 65, H. 81, approved November 4, 1950, which created the board of revenue for Jackson County and abolished the court of county commissioners.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

**Yeas:**

Mr. Speaker	Faulk	Kirkham	Oden
Adams	Ferrell	Lackey	Payne
Albea	Franklin	Lee (Barbour)	Pirkle
Ashworth	Gilchrist	Lee (Lawrence)	Pruitt
Bassett	Gist	Locke (Perry)	Ramey
Boyd	Goodwyn	Love	Reynolds
Bradford	Gregory	McClendon	Richardson
Brannan	Hain	McKay	Selman
Brassell	Hall	McLendon	Shumate
Brewer	Haltom	McNider	Simon
Broadfoot	Hanby	Martin	Solomon
Brown (Lamar)	Hardy	Mathews	Speaks
Brown (Lee)	Harvey	Mathison	Steagall
Burkhalter	Hawkins	Meeks	Stembridge
Cox	Hodges	Merrill	Summerlin
Crook	Holliman	Mollette	Taylor
Dawkins	Huddleston	Money	Thomas
deGraffenried	Hunt	Nettles	Vacca
Dement	Jenkins	Nice	Ward
DeSear	Johnson (Tallapoosa)	Nolen	Windle
Edwards (Escambia)	Kendall	Oakley	Wood
Edwards (Jefferson)	Killough		

—86

And the bill:

S. 292. To create in every county having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, the position of Coroner's Pathologist; to fix the qualifications therefor; to provide the method of his appointment and to fix his compensation and the manner in which it shall be paid.

Was read a third time at length and passed.

Yeas 88; Nays 0.

**Yeas:**

Mr. Speaker	Brewer	deGraffenried	Gist
Adams	Broadfoot	Dement	Gregory
Albea	Brooks	DeSear	Grouby
Ashworth	Brown (Lamar)	Edwards (Escambia)	Hain
Bassett	Brown (Lee)	Edwards (Jefferson)	Hall
Boyd	Burkhalter	Faulk	Haltom
Bradford	Cox	Ferrell	Hanby
Brannan	Crook	Franklin	Hardy
Brassell	Dawkins	Gilchrist	Hare

Harrison	Lackey	Molette	Shumate
Harvey	Lee (Barbour)	Money	Simon
Hawkins	Lee (Lawrence)	Nice	Solomon
Hodges	Locke (Perry)	Nolen	Speaks
Holliman	Love	Oakley	Steagall
Huddleston	McClendon	Oden	Stembridge
Hunt	McKay	Payne	Summerlin
Jenkins	McLendon	Pirkle	Taylor
Johnson (Elmore)	Martin	Pruitt	Thomas
Johnson (Tallapoosa)	Mathews	Ramey	Vacca
Kendall	Mathison	Reynolds	Ward
Killough	Meeks	Richardson	Windle
Kirkham	Merrill	Selman	Wood

—88

And the bill:

H. 802. Relating to the construction, maintenance and repair of the county roads and bridges of Winston County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials, to the State Highway Department of all funds, including Winston County's proportionate share of the State gasoline tax, state motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws; and abolishing the Highway Board of Winston County created by Act No. 333, H. 815, September 5, 1939 (Local Acts of the 1939 Regular Session, p. 221).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Nice
Adams	Ferrell	Kendall	Nolen
Albea	Franklin	Kirkham	Oakley
Ashworth	Gilchrist	Lackey	Oden
Bassett	Gist	Lee (Lawrence)	Payne
Boyd	Gregory	Locke (Perry)	Pirkle
Bradford	Grouby	Love	Pruitt
Brannan	Hall	McClendon	Ramey
Brassell	Haltom	McKay	Reynolds
Brewer	Hardy	McLendon	Selman
Broadfoot	Harrison	McNider	Shumate
Brooks	Harvey	Martin	Speaks
Brown (Lamar)	Hawkins	Mathison	Steagall
Brown (Lee)	Hodges	Meeks	Stembridge
Burkhalter	Huddleston	Merrill	Summerlin
Cornett	Hunt	Molette	Vacca
Dawkins	Jenkins	Money	Ward
Dement	Johnson (Elmore)	Nettles	Wood
Edwards (Escambia)			

—73

And the bill:

H. 895. Relating to Clarke County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the Inferior Court of the county.

Was taken up.

Mr. McNider offered the following amendment to the bill, H. 895:

To amend Section 4 of House Bill 895 by striking out the words "general fund" as it appears in this section and inserting in lieu thereof the words "fine and forfeiture fund."

And the amendment was adopted.

Yeas 94; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Adams	Edwards (Jefferson)	Kelly	Oakley
Albea	Faulk	Kendall	Payne
Ashworth	Ferrell	Killough	Pirkle
Bassett	Franklin	Kirkham	Pruitt
Boyd	Gilchrist	Lackey	Ramey
Bradford	Gist	Lee (Barbour)	Reynolds
Brannan	Goodwyn	Lee (Lawrence)	Roberts
Brassell	Gregory	Locke (Perry)	Selman
Brewer	Grouby	Love	Shumate
Broadfoot	Hain	McClendon	Simon
Brooks	Hall	McKay	Solomon
Brown (Lamar)	Haltom	McLendon	Speaks
Brown (Lee)	Hanby	McNider	Steagall
Burkhalter	Hardy	Martin	Stembridge
Callahan	Hare	Mathews	Summerlin
Cornett	Harrison	Mathison	Taylor
Cox	Harvey	Meeks	Thomas
Crook	Hawkins	Merrill	Tyson
Davis	Hodges	Molette	Vacca
Dawkins	Holliman	Money	Ward
deGraffenried	Hunt	Nettles	Windle
Dement	Jenkins	Nice	Wood
DeSear	Johnson (Elmore)		

—94

And said bill, H. 895, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

**Yeas:**

Mr. Speaker	Callahan	Gist	Hunt
Adams	Cornett	Goodwyn	Jenkins
Albea	Cox	Gregory	Johnson (Elmore)
Ashworth	Crook	Grouby	Johnson (Tallapoosa)
Bassett	Davis	Hain	Kelly
Boyd	Dawkins	Hall	Kendall
Bradford	deGraffenried	Haltom	Killough
Brannan	Dement	Hanby	Kirkham
Brassell	DeSear	Hardy	Lackey
Brewer	Edwards (Escambia)	Hare	Lee (Barbour)
Broadfoot	Edwards (Jefferson)	Harrison	Lee (Lawrence)
Brooks	Faulk	Harvey	Locke (Perry)
Brown (Lamar)	Ferrell	Hawkins	Love
Brown (Lee)	Franklin	Hodges	McClendon
Burkhalter	Gilchrist	Holliman	McKay



McLendon	Nettles	Reynolds	Summerlin
McNider	Nice	Selman	Taylor
Martin	Nolen	Shumate	Thomas
Mathews	Oakley	Simon	Tyson
Mathison	Oden	Solomon	Vacca
Meeks	Payne	Speaks	Ward
Merrill	Pirkle	Steagall	Windle
Molette	Pruitt	Stembridge	Wood
Money	Ramey		

—94

And the bill:

H. 896. To further amend Section 7 of an Act entitled "An Act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 23, 1932, as amended by Act approved August 6, 1947.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Jenkins	Nice
Adams	Edwards (Jefferson)	Johnson (Elmore)	Nolen
Albea	Faulk	Johnson (Tallapoosa)	Oakley
Ashworth	Ferrell	Kelly	Oden
Bassett	Franklin	Kendall	Payne
Bradford	Gilchrist	Killough	Pirkle
Brannan	Gist	Kirkham	Pruitt
Brassell	Goodwyn	Lackey	Ramey
Brewer	Gregory	Lee (Barbour)	Reynolds
Broadfoot	Grouby	Lee (Lawrence)	Selman
Brooks	Hain	Locke (Perry)	Shumate
Brown (Lamar)	Hall	Love	Simon
Brown (Lee)	Haltom	McClendon	Speaks
Burkhalter	Hanby	McKay	Steagall
Callahan	Hardy	McLendon	Stembridge
Cornett	Hare	McNider	Summerlin
Cox	Harrison	Martin	Taylor
Crook	Harvey	Mathews	Thomas
Davis	Hawkins	Mathison	Tyson
Dawkins	Hodges	Merrill	Vacca
deGraffenried	Holliman	Molette	Ward
Dement	Huddleston	Money	Windle
DeSear	Hunt	Nettles	Wood

—92

And the bill:

H. 931. To amend Section 1 of Act No. 131, S. 9, approved July 12, 1955, regulating the compensation of certain circuit judges.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

## Yeas:

Mr. Speaker	Ferrell	Kirkham	Oden
Adams	Franklin	Lackey	Payne
Albea	Gilchrist	Law	Perry
Ashworth	Gist	Lee (Barbour)	Pirkle
Bassett	Goodwyn	Lee (Lawrence)	Pruitt
Boyd	Gregory	Locke (Perry)	Ramey
Bradford	Hain	Love	Reynolds
Branyon	Hall	McClendon	Selman
Brassell	Haltom	McKay	Shumate
Brooks	Hanby	McLendon	Simon
Brown (Lamar)	Hardy	McNider	Solomon
Brown (Lee)	Hare	Martin	Speaks
Callahan	Harrison	Mathews	Steagall
Cornett	Hawkins	Mathison	Stembridge
Cox	Hodges	Merrill	Summerlin
Davis	Holliman	Molette	Taylor
deGraffenried	Hunt	Money	Thomas
DeSear	Jenkins	Nettles	Tyson
Edwards (Escambia)	Johnson (Elmore)	Nice	Vacca
Edwards (Jefferson)	Kelly	Nolen	Windle
Faulk	Killough	Oakley	Wood

—84

## MOTION TO RECONSIDER LOST

The motion of Mr. Kelly to reconsider the vote by which the bill, H. 931, was passed, was lost.

## And the bill:

H. 869. Relating to places of voting in state and county elections in all counties of the State having a population of not less than 200,000 nor more than 400,000 according to the last or any subsequent Federal decennial census: Providing for the designation of only one voting place in any ward, district or precinct in any such counties, and authorizing and providing for the assignment of booths or voting machines at such voting places to alphabetical groups of not more than six hundred qualified voters, and directing that qualified voters may vote at the designated voting place and the booth or voting machine assigned to the alphabetical group in which his name belongs in the ward, district or precinct of which he is a qualified voter.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

## Yeas:

Mr. Speaker	Brewer	Dement	Gregory
Adams	Broadfoot	DeSear	Grouby
Albea	Brooks	Edwards (Escambia)	Hain
Ashworth	Brown (Lamar)	Edwards (Jefferson)	Hall
Bassett	Callahan	Faulk	Haltom
Boyd	Cornett	Ferrell	Hanby
Bradford	Cox	Franklin	Hardy
Brannan	Crook	Gilchrist	Harrison
Branyon	Davis	Gist	Harvey
Brassell	Dawkins	Goodwyn	Hawkins

Hodges	Locke (Perry)	Nice	Simon
Holliman	Love	Nolen	Solomon
Huddleston	McClendon	Oakley	Speaks
Hunt	McKay	Oden	Steagall
Jenkins	McLendon	Payne	Stembridge
Johnson (Elmore)	McNider	Pirkle	Stokes
Johnson (Tallapoosa)	Martin	Pruitt	Summerlin
Kendall	Mathews	Ramey	Taylor
Killough	Mathison	Reynolds	Thomas
Kirkham	Meeks	Richardson	Tyson
Lackey	Merrill	Roberts	Vacca
Law	Molette	Selman	Windle
Lee (Barbour)	Money	Shumate	Wood
Lee (Lawrence)	Nettles		

—94

And the bill:

H. 903. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

#### Yeas:

Mr. Speaker	Faulk	Kelly	Oden
Adams	Ferrell	Kendall	Payne
Albea	Franklin	Killough	Pirkle
Ashworth	Gilchrist	Kirkham	Pruitt
Bassett	Gist	Lackey	Ramey
Boyd	Goodwyn	Law	Reynolds
Bradford	Gregory	Lee (Barbour)	Richardson
Brannan	Grouby	Lee (Lawrence)	Selman
Branyon	Hain	Locke (Perry)	Shumate
Brewer	Hall	Love	Simon
Broadfoot	Haltom	McClendon	Solomon
Brooks	Hanby	McKay	Speaks
Brown (Lamar)	Hardy	McLendon	Steagall
Brown (Lee)	Hare	McNider	Stembridge
Callahan	Harrison	Mathews	Stokes
Cornett	Harvey	Mathison	Summerlin
Cox	Hawkins	Merrill	Taylor
Crook	Hodges	Molette	Thomas
Davis	Holliman	Money	Tyson
Dawkins	Huddleston	Nettles	Vacca
Dement	Hunt	Nice	Ward
DeSear	Jenkins	Nolen	Windle
Edwards (Escambia)	Johnson (Elmore)	Oakley	Wood
Edwards (Jefferson)	Johnson (Tallapoosa)		

—94

And the bill:

H. 901. To amend Section 2 of Act No. 637, H. B. 644, approved September 4, 1951, entitled "An Act to provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

**Yeas:**

Mr. Speaker	Ferrell	Kendall	Oakley
Adams	Franklin	Killough	Payne
Albea	Gilchrist	Kirkham	Perry
Ashworth	Gist	Lackey	Pirkle
Bassett	Goodwyn	Law	Pruitt
Boyd	Gregory	Lee (Barbour)	Ramey
Bradford	Grouby	Lee (Lawrence)	Reynolds
Brannan	Hain	Locke (Perry)	Richardson
Branyon	Hall	Love	Roberts
Brewer	Haltom	McClendon	Selman
Broadfoot	Hanby	McKay	Shumate
Brooks	Hardy	McLendon	Simon
Brown (Lamar)	Hare	McNider	Solomon
Callahan	Harrison	Martin	Speaks
Cornett	Harvey	Mathews	Stembridge
Cox	Hawkins	Mathison	Stokes
Crook	Hodges	Meeks	Summerlin
Davis	Holliman	Merrill	Taylor
Dawkins	Huddleston	Molette	Thomas
Dement	Hunt	Money	Vacca
DeSear	Jenkins	Nettles	Ward
Edwards (Escambia)	Johnson (Elmore)	Nice	Windle
Edwards (Jefferson)	Kelly	Nolen	Wood
Faulk			

—93

And the bill:

H. 900. To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Hunt	Meeks
Adams	Edwards (Jefferson)	Jenkins	Merrill
Albea	Faulk	Johnson (Elmore)	Molette
Ashworth	Ferrell	Johnson (Tallapoosa)	Money
Bassett	Franklin	Kelly	Nettles
Boyd	Gilchrist	Kendall	Nice
Bradford	Gist	Killough	Nolen
Brannan	Goodwyn	Kirkham	Oakley
Branyon	Gregory	Lackey	Oden
Brewer	Grouby	Law	Payne
Broadfoot	Hain	Lee (Barbour)	Pirkle
Brooks	Hall	Lee (Lawrence)	Pruitt
Brown (Lamar)	Haltom	Locke (Perry)	Ramey
Burkhalter	Hanby	Love	Reynolds
Callahan	Hardy	McClendon	Richardson
Cornett	Harrison	McKay	Roberts
Cox	Harvey	McLendon	Selman
Crook	Hawkins	McNider	Shumate
Davis	Hodges	Martin	Simon
Dawkins	Holliman	Mathews	Solomon
DeSear	Huddleston	Mathison	Speaks

Steagall  
Stembridge  
Stokes

Summerlin  
Taylor  
Thomas

Tyson  
Vacca  
Ward

Windle  
Wood

—95

And the bill:

H. 905. To require the Board of Revenue of Colbert County to provide suitable office space with telephone service for the Solicitor of the Colbert Law and Equity Court of Colbert County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Faulk	Kendall	Oden
Adams	Ferrell	Killough	Payne
Albea	Franklin	Kirkham	Pirkle
Ashworth	Gilchrist	Lackey	Pruitt
Bassett	Gist	Lee (Barbour)	Ramey
Boyd	Goodwyn	Lee (Lawrence)	Reynolds
Bradford	Gregory	Locke (Perry)	Richardson
Brannan	Grouby	Love	Roberts
Branyon	Hain	McClendon	Selman
Brewer	Hall	McKay	Shumate
Broadfoot	Haltom	McLendon	Simon
Brooks	Hanby	McNider	Solomon
Brown (Lamar)	Hardy	Martin	Speaks
Burkhalter	Harrison	Mathews	Steagall
Callahan	Harvey	Mathison	Stembridge
Cornett	Hawkins	Meeks	Stokes
Cox	Hodges	Merrill	Summerlin
Crook	Holliman	Molette	Taylor
Davis	Huddleston	Money	Thomas
Dawkins	Hunt	Nettles	Tyson
Dement	Jenkins	Nice	Vacca
DeSear	Johnson (Elmore)	Nolen	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Oakley	Wood
Edwards (Jefferson)	Kelly		

—94

And the bill:

H. 897. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Boyd	Broadfoot	Cox
Adams	Bradford	Brooks	Crook
Albea	Brannan	Brown (Lamar)	Dawkins
Ashworth	Branyon	Burkhalter	Dement
Bassett	Brewer	Callahan	DeSear

Edwards (Escambia)	Hodges	McLendon	Pruitt
Edwards (Jefferson)	Holliman	McNider	Ramey
Faulk	Huddleston	Martin	Reynolds
Ferrell	Hunt	Mathews	Richardson
Franklin	Jenkins	Mathison	Selman
Gilchrist	Johnson (Elmore)	Meeks	Shumate
Gist	Kelly	Merrill	Speaks
Goodwyn	Kendall	Molette	Steagall
Gregory	Killough	Money	Stembridge
Grouby	Kirkham	Nettles	Summerlin
Hain	Lackey	Nice	Taylor
Hall	Lee (Barbour)	Nolen	Thomas
Hanby	Lee (Lawrence)	Oakley	Tyson
Hardy	Locke (Perry)	Oden	Vacca
Harrison	McClendon	Payne	Windle
Harvey	McKay	Pirkle	Wood
Hawkins			

—85

And the bill:

H. 877. Relating to Counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census, authorizing the governing body of every such County to provide for a Chief Clerk and assistant Chief Clerk in the Circuit Court and for a Chief Clerk in the County Court of the County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Kendall	Oden
Adams	Faulk	Killough	Payne
Albea	Ferrell	Kirkham	Pirkle
Ashworth	Franklin	Lackey	Pruitt
Bassett	Gilchrist	Lee (Barbour)	Ramey
Bradford	Gist	Lee (Lawrence)	Reynolds
Brannan	Gregory	Locke (Perry)	Richardson
Branyon	Grouby	McClendon	Selman
Brassell	Hall	McKay	Shumate
Brewer	Haltom	McLendon	Simon
Broadfoot	Hanby	McNider	Solomon
Brooks	Harrison	Mathews	Speaks
Burkhalter	Harvey	Mathison	Steagall
Callahan	Hawkins	Meeks	Stembridge
Cox	Hodges	Merrill	Summerlin
Crook	Holliman	Money	Taylor
Davis	Huddleston	Nettles	Tyson
Dawkins	Hunt	Nice	Vacca
Dement	Jenkins	Nolen	Windle
DeSear	Johnson (Elmore)	Oakley	Wood
Edwards (Escambia)	Johnson (Tallapoosa)		

—82

And the bill:

H. 872. Providing further for the government of Escambia County; providing for the construction, maintenance, and repair of the county roads and bridges on the basis of the county as a unit; providing for the appointment of a road superintendent for the county, and for his powers, duties, and compensation; providing for the appointment of

a county engineer, and for his powers, duties, and compensation; providing for central purchasing for the county; and providing for a county purchasing agent and for his powers, duties, and compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

**Yeas:**

Mr. Speaker	Dawkins	Huddleston	Pirkle
Adams	Dement	Johnson (Elmore)	Reynolds
Albea	Edwards (Escambia)	Kelly	Roberts
Bassett	Ferrell	Killough	Selman
Brannan	Franklin	Lackey	Shumate
Branyon	Gilchrist	Law	Simon
Brassell	Gist	Lee (Lawrence)	Speaks
Brewer	Gregory	Love	Steagall
Broadfoot	Grouby	McLendon	Summerlin
Brown (Lamar)	Hain	McNider	Taylor
Callahan	Hall	Mathews	Tyson
Cornett	Harrison	Mathison	Vacca
Cox	Hawkins	Merrill	Wood
Davis	Hodges	Nice	

—55

And the bill:

H. 873. To repeal Act No. 349, Acts of Alabama, Regular Session, 1953, page 415, which authorizes the Board of Revenue of Escambia County to pay a monthly expense allowance to the members of such Board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

**Yeas:**

Mr. Speaker	deGraffenried	Johnson (Elmore)	Oakley
Adams	Dement	Johnson (Tallapoosa)	Oden
Albea	Edwards (Escambia)	Kelly	Payne
Ashworth	Ferrell	Kendall	Pirkle
Bassett	Franklin	Lackey	Reynolds
Boyd	Gilchrist	Law	Roberts
Bradford	Gist	Lee (Lawrence)	Selman
Brannan	Gregory	Love	Shumate
Branyon	Grouby	McClendon	Simon
Brassell	Hain	McNider	Solomon
Brewer	Hall	Martin	Speaks
Broadfoot	Haltom	Mathison	Steagall
Burkhalter	Hanby	Meeks	Stembridge
Callahan	Harrison	Merrill	Summerlin
Cornett	Hawkins	Money	Taylor
Cox	Hodges	Nettles	Tyson
Dawkins	Huddleston	Nice	Wood

—68

And the bill:

H. 888. Relating to Lauderdale County; providing for the compensation of the chief deputy sheriff for Lauderdale County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Adams	Faulk	Kelly	Oden
Albea	Ferrell	Kendall	Payne
Ashworth	Franklin	Killough	Perry
Bassett	Gilchrist	Kirkham	Pirkle
Boyd	Gist	Lackey	Pruitt
Brannan	Gregory	Lee (Barbour)	Ramey
Branyon	Grouby	Lee (Lawrence)	Reynolds
Brassell	Hain	Locke (Perry)	Richardson
Brewer	Hall	McClendon	Roberts
Broadfoot	Haltom	McKay	Selman
Brooks	Hanby	McLendon	Shumate
Burkhalter	Hardy	Martin	Simon
Callahan	Harrison	Mathews	Solomon
Cornett	Harvey	Mathison	Speaks
Cox	Hawkins	Meeks	Steagall
Davis	Hodges	Merrill	Stembridge
Dawkins	Holliman	Molette	Summerlin
deGraffenried	Huddleston	Money	Taylor
Dement	Hunt	Nettles	Tyson
DeSear	Jenkins	Nice	Wood
Edwards (Escambia)	Johnson (Elmore)	Nolen	

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**RECESS**

On motion of Mr. Wood the House recessed until 2:30 o'clock this afternoon.

**AFTERNOON SESSION**

The hour of 2:30 o'clock P. M. having arrived, the House reconvened.

**REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS**

**Mr. Speaker:**

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 111. Making an appropriation to the Board of Trustees of the Cahaba Historical Commission.

Also:

H. 120. To authorize and provide for the payment of the sum of \$613.80, out of any funds in the State Treasury to the credit of the State Forestry Fund, for the relief of Colbert R. Wright, to reimburse him for hospital, doctor and medical bills by reason of an accident occurring on August 30, 1949, while the said Colbert R. Wright was employed by the State of Alabama, Department of Conservation, and while he was acting in the line and scope of his employment.

Also:

H. 774. To make an appropriation for the restoration of the interior of the building located in Greensboro, Alabama, which formerly housed



the now extinct Southern University, and to create a committee to administer the appropriation under the supervision and control of the Governor.

Also:

H. J. R. 64. Relative to Congressional Legislation extending age limit of aid to dependent childrens' eligibility under the Federal Social Security Act.

Also:

H. 295. To amend Sections 42, 44 and 45 of Title 36, Code of Alabama (1940), as amended, which relate to lighting equipment required on motor vehicles.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

I have been directed to notify the House of Representatives that the Senate has refused to comply with the request of the House for the return thereto of the bill:

H. 102. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Bill:

H. 98. To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters in this State.

And said Bill, as thus amended by the Conference report, was again read at length and passed.

And said Bill, H. B. 98, together with the Conference report, is herewith returned to the House.

J. E. SPEIGHT,  
Secretary.

## BILLS ON THIRD READING RESUMED

H. 887. Relating to Lauderdale County; providing for the payment by the county of a salary to one duly appointed deputy register of the Circuit Court of Lauderdale County which shall be fixed by the governing body of the county in an amount not to exceed a stated sum.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

## Yeas:

Mr. Speaker	DeSear	Johnson (Taliapoosa)	Oden
Adams	Edwards (Escambia)	Killough	Payne
Albea	Edwards (Jefferson)	Lackey	Perry
Ashworth	Ferrell	Lee (Lawrence)	Pirkle
Bassett	Franklin	Locke (Perry)	Pruitt
Bradford	Gilchrist	McClendon	Ramey
Brannan	Gist	McKay	Richardson
Branyon	Grouby	McLendon	Selman
Brassell	Hain	McNider	Shumate
Broadfoot	Haltom	Martin	Simon
Brown (Lamar)	Hardy	Mathison	Speaks
Burkhalter	Hare	Meeks	Steagall
Callahan	Harvey	Merrill	Stembridge
Crook	Hawkins	Molette	Summerlin
Davis	Holliman	Money	Taylor
Dawkins	Huddleston	Nettles	Vacca
deGraffenried	Hunt	Nolen	Windle
Dement	Jenkins	Oakley	Wood

—72

## MESSAGE FROM THE SENATE

## Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 272. Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

## Also:

S. 292. To create in every county having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, the position of Coroner's Pathologist; to fix the qualifications therefor; to provide the method of his appointment and to fix his compensation and the manner in which it shall be paid.

J. E. SPEIGHT,  
Secretary.

## SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

### BILLS ON THIRD READING RESUMED

H. 875. To provide for the establishment, maintenance, and operation of a public law library in Madison County; to provide for the financing thereof; and to require the audit of law library funds by the Department of Examiners of Public Accounts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

#### Yeas:

Mr. Speaker	Dickson	Hunt	Nolen
Adams	Edwards (Escambia)	Jenkins	Oakley
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Ashworth	Faulk	Killough	Payne
Bassett	Ferrell	Lackey	Pruitt
Bradford	Franklin	Lee (Barbour)	Ramey
Brannan	Gilchrist	Lee (Lawrence)	Roberts
Branyon	Gist	Locke (Perry)	Selman
Broadfoot	Gregory	McClendon	Shumate
Brooks	Grouby	McKay	Simon
Brown (Lamar)	Hain	McLendon	Solomon
Burkhalter	Haltom	McNider	Speaks
Callahan	Hanby	Martin	Steagall
Cornett	Hardy	Mathison	Stembridge
Cox	Hare	Meeks	Summerlin
Crook	Harvey	Merrill	Taylor
Davis	Hawkins	Molette	Thomas
deGraffenried	Hodges	Money	Vacca
Dement	Holliman	Nettles	Windle
DeSear	Huddleston	Nice	Wood

—80

#### And the bill:

H. 904. Relating to Colbert County: To abolish the office of County Commissioner of Public Schools; to establish and restore in Colbert County the office of County Superintendent of Education; to designate and appoint a County Superintendent of Education and fix his term of office; to provide for the election of his successor and successors; to provide for the term of office, qualifications, official bond, salary, compensation and allowances of the County Superintendent of Education; to define and prescribe the duties and functions of the County Superintendent of Education; to repeal Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, approved July 24, 1953, and all other laws and parts of laws in conflict with this Act; and to provide for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

#### Yeas:

Mr. Speaker	Albea	Bassett	Brannan
Adams	Ashworth	Bradford	Branyon

Brassell	Franklin	Killough	Oden
Broadfoot	Gilchrist	Lackey	Payne
Brooks	Gist	Lee (Barbour)	Pirkle
Brown (Lamar)	Gregory	Lee (Lawrence)	Pruitt
Brown (Lee)	Grouby	Locke (Perry)	Ramey
Burkhalter	Hain	McClendon	Richardson
Callahan	Haltom	McKay	Selman
Cornett	Hanby	McLendon	Shumate
Cox	Hardy	McNider	Simon
Crook	Hare	Martin	Solomon
Davis	Harvey	Mathison	Speaks
deGraffenried	Hawkins	Meeks	Steagall
Dement	Hodges	Merrill	Stembridge
DeSear	Holliman	Molette	Summerlin
Dickson	Huddleston	Money	Taylor
Edwards (Escambia)	Hunt	Nettles	Thomas
Edwards (Jefferson)	Jenkins	Nice	Vacca
Faulk	Johnson (Tallapoosa)	Nolen	Windle
Ferrell	Kendall	Oakley	Wood

—84

And the bill:

H. 874. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Tallapoosa)	Oden
Adams	Edwards (Jefferson)	Kendall	Payne
Albea	Ferrell	Killough	Perry
Ashworth	Franklin	Lackey	Pirkle
Bassett	Gilchrist	Lee (Lawrence)	Pruitt
Bradford	Goodwyn	Locke (Perry)	Ramey
Brannan	Gregory	McClendon	Richardson
Branyon	Grouby	McKay	Roberts
Brassell	Hain	McLendon	Selman
Brooks	Haltom	McNider	Shumate
Brown (Lamar)	Hanby	Martin	Simon
Brown (Lee)	Hardy	Mathison	Solomon
Burkhalter	Hare	Meeks	Steagall
Callahan	Harvey	Merrill	Stembridge
Cox	Hawkins	Molette	Summerlin
Crook	Hodges	Money	Taylor
Davis	Holliman	Nettles	Thomas
deGraffenried	Huddleston	Nice	Vacca
Dement	Hunt	Nolen	Windle
DeSear	Jenkins	Oakley	Wood
Dickson			

—81

And the bill:

H. 876. Relating to Etowah County: To abolish the present Board of Revenue of Etowah County, Alabama, and to create the Etowah County Board of Revenue in lieu thereof; to provide for the election and terms of office of the President and four Associate Members, and the districts in which the Associate Members must reside and be a

qualified elector, to provide for the jurisdiction of the Board, the duties of the President and Associate Members, supervision of roads and bridges for the county, public meetings of the Board, the salaries of the President and Associate Members, the repeal of laws in conflict herewith and the effective date hereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Jenkins	Oakley
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Albea	Faulk	Kendall	Payne
Ashworth	Ferrell	Killough	Perry
Bassett	Franklin	Lackey	Pirkle
Bradford	Gilchrist	Law	Pruitt
Brannan	Gist	Lee (Lawrence)	Ramey
Branyon	Goodwyn	Locke (Perry)	Richardson
Brassell	Gregory	McClendon	Roberts
Broadfoot	Grouby	McKay	Selman
Brooks	Hain	McLendon	Shumate
Brown (Lamar)	Haltom	McNider	Simon
Burkhalter	Hanby	Martin	Solomon
Callahan	Hardy	Mathison	Steagall
Cornett	Hare	Meeks	Stembridge
Cox	Harvey	Merrill	Summerlin
Crook	Hawkins	Molette	Taylor
Dawkins	Hodges	Money	Thomas
deGraffenried	Holliman	Nettles	Vacca
Dement	Huddleston	Nice	Windle
DeSear	Hunt	Nolen	Wood
Dickson			

—85

**And the bill:**

H. 883. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail. The provisions of this act shall apply in all counties having a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

**Yeas:**

Mr. Speaker	Brown (Lamar)	Dickson	Hanby
Adams	Brown (Lee)	Edwards (Escambia)	Hardy
Albea	Burkhalter	Edwards (Jefferson)	Hare
Ashworth	Callahan	Faulk	Harvey
Bassett	Cornett	Ferrell	Hawkins
Bradford	Cox	Franklin	Hodges
Brannan	Crook	Gilchrist	Holliman
Branyon	Davis	Gist	Huddleston
Brassell	Dawkins	Gregory	Hunt
Brewer	deGraffenried	Grouby	Jenkins
Broadfoot	Dement	Hain	Johnson (Tallapoosa)
Brooks	DeSear	Haltom	Kaul

Kendall	Martin	Oden	Simon
Killough	Mathison	Payne	Solomon
Lackey	Meeks	Perry	Steagall
Law	Merrill	Pirkle	Stembridge
Lee (Lawrence)	Molette	Pruitt	Summerlin
Locke (Perry)	Money	Ramey	Taylor
McClendon	Nettles	Richardson	Thomas
McKay	Nice	Roberts	Vacca
McLendon	Nolen	Selman	Windle
McNider	Oakley	Shumate	Wood

—88

And the bill:

H. 882. To authorize the governing body of any and every municipality in any county in this state which county may now or hereafter have a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States to adopt and provide by ordinance for the maintenance of a comprehensive zone map or maps of such municipality, and its Police Jurisdiction over which it exercises zoning jurisdiction, and to make such zoning map or maps a part of any ordinance by reference thereto in such ordinance without publication of such zone map or maps in any newspaper.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Jenkins	Oden
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Payne
Albea	Edwards (Jefferson)	Kaul	Perry
Ashworth	Faulk	Kendall	Pirkle
Bassett	Ferrell	Lackey	Pruitt
Bradford	Franklin	Law	Ramey
Brannan	Gilchrist	Lee (Lawrence)	Richardson
Branyon	Gist	Locke (Perry)	Roberts
Brassell	Goodwyn	McClendon	Selman
Brewer	Gregory	McKay	Shumate
Broadfoot	Grouby	McLendon	Simon
Brooks	Hall	McNider	Solomon
Brown (Lamar)	Haltom	Martin	Speaks
Brown (Lee)	Hanby	Mathison	Steagall
Burkhalter	Hardy	Meeks	Stembridge
Callahan	Hare	Merrill	Summerlin
Cox	Harvey	Molette	Taylor
Crook	Hawkins	Money	Thomas
Dawkins	Hodges	Nettles	Vacca
deGraffenried	Holliman	Nice	Windle
Dement	Huddleston	Nolen	Wood
DeSear	Hunt	Oakley	

—87

And the bill:

H. 881. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Jenkins	Nolen
Adams	Edwards (Escambia)	Johnson (Tallahpoosa)	Oakley
Albea	Edwards (Jefferson)	Kaul	Oden
Ashworth	Faulk	Kendall	Payne
Bassett	Ferrell	Killough	Perry
Boyd	Franklin	Lackey	Pirkle
Bradford	Gilchrist	Law	Pruitt
Brannan	Gist	Lee (Lawrence)	Ramey
Branyon	Gregory	Locke (Perry)	Richardson
Brassell	Grouby	McClendon	Roberts
Brewer	Hain	McKay	Selman
Broadfoot	Hall	McLendon	Shumate
Brooks	Haltom	McNider	Simon
Brown (Lamar)	Hanby	Martin	Solomon
Brown (Lee)	Hardy	Mathews	Speaks
Burkhalter	Hare	Mathison	Steagall
Callahan	Harvey	Meeks	Stembridge
Cox	Hawkins	Merrill	Summerlin
Crook	Hodges	Molette	Taylor
Davis	Holliman	Money	Thomas
deGraffenried	Huddleston	Nettles	Vacca
Dement	Hunt	Nice	Wood
DeSear			

—89

And the bill:

H. 906. To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

**Yeas:**

Mr. Speaker	Davis	Harvey	Mathison
Adams	deGraffenried	Hawkins	Meeks
Albea	Dement	Hodges	Merrill
Ashworth	DeSear	Holliman	Molette
Bassett	Dickson	Huddleston	Money
Boyd	Edwards (Escambia)	Hunt	Nettles
Bradford	Edwards (Jefferson)	Jenkins	Nolen
Brannan	Faulk	Johnson (Tallahpoosa)	Oakley
Branyon	Ferrell	Kendall	Oden
Brassell	Franklin	Killough	Payne
Brewer	Gilchrist	Lackey	Pirkle
Broadfoot	Gist	Law	Pruitt
Brooks	Gregory	Lee (Lawrence)	Ramey
Brown (Lamar)	Grouby	Locke (Perry)	Richardson
Brown (Lee)	Hain	McClendon	Roberts
Burkhalter	Hall	McKay	Selman
Callahan	Haltom	McLendon	Shumate
Cornett	Hanby	McNider	Simon
Cox	Hardy	Martin	Solomon
Crook	Hare	Mathews	Speaks

Steagall  
Stembridge

Summerlin  
Taylor

Thomas  
Vacca

Wood

—87

And the bill:

H. 907. To amend Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

**Yeas:**

Mr. Speaker	DeSear	Huddleston	Nettles
Adams	Dickson	Hunt	Nice
Albea	Edwards (Escambia)	Jenkins	Nolen
Ashworth	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Bassett	Faulk	Kendall	Oden
Boyd	Ferrell	Killough	Payne
Bradford	Franklin	Lackey	Pirkle
Brannan	Gilchrist	Law	Pruitt
Branyon	Gist	Lee (Lawrence)	Ramey
Brassell	Gregory	Locke (Perry)	Richardson
Brewer	Grouby	McClendon	Roberts
Broadfoot	Hain	McKay	Selman
Brooks	Hall	McLendon	Shumate
Brown (Lamar)	Haltom	McNider	Simon
Brown (Lee)	Hanby	Martin	Solomon
Burkhalter	Hardy	Mathews	Speaks
Callahan	Hare	Mathison	Steagall
Cox	Harvey	Meeks	Stembridge
Crook	Hawkins	Merrill	Taylor
Davis	Hodges	Molette	Vacca
deGraffenried	Holliman	Money	Wood
Dement			

—85

And the bill:

H. 908. To amend further Section V of an act to provide for an election of the County Superintendent of Education for Marion County, Alabama, to fix the term of office, to provide for filling vacancies therein, to prescribe his salary, and the manner of payment thereof, to define his qualifications, powers, and duties, and to provide for his successor in office, approved June 3, 1935 (Local Acts, 1935, p. 18).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

**Yeas:**

Messrs.	Brannan	Burkhalter	deGraffenried
Adams	Branyon	Callahan	Dement
Albea	Brassell	Cornett	DeSear
Ashworth	Brewer	Cox	Dickson
Bassett	Broadfoot	Crook	Edwards (Escambia)
Boyd	Brown (Lamar)	Davis	Edwards (Jefferson)
Bradford	Brown (Lee)	Dawkins	Faulk



Ferrell	Hodges	McNider	Pruitt
Franklin	Holliman	Martin	Ramey
Gilchrist	Huddleston	Mathews	Richardson
Gist	Hunt	Mathison	Roberts
Gregory	Jenkins	Meeks	Selman
Grouby	Johnson (Tallapoosa)	Merrill	Shumate
Hain	Kendall	Molette	Simon
Hall	Lackey	Money	Solomon
Haltom	Law	Nettles	Speaks
Hanby	Lee (Lawrence)	Nice	Steagall
Hardy	Locke (Perry)	Nolen	Stembridge
Hare	McClendon	Oakley	Summerlin
Harrison	McKay	Oden	Vacca
Harvey	McLendon	Payne	Wood
Hawkins			

—84

And the bill:

H. 909. Relating to Marion County: To amend further Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), entitled "And Act to allow the sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	DeSear	Hunt	Nolen
Adams	Dickson	Jenkins	Oakley
Albea	Edwards (Escambia)	Johnson (Tallapoosa)	Oden
Ashworth	Edwards (Jefferson)	Kendall	Payne
Bassett	Faulk	Killough	Perry
Boyd	Ferrell	Lackey	Pirkle
Bradford	Franklin	Law	Pruitt
Brannan	Gilchrist	Lee (Lawrence)	Ramey
Branyon	Gist	Locke (Perry)	Richardson
Brassell	Gregory	McClendon	Roberts
Brewer	Grouby	McKay	Selman
Broadfoot	Hain	McLendon	Shumate
Brooks	Hall	McNider	Simon
Brown (Lamar)	Haltom	Martin	Solomon
Brown (Lee)	Hanby	Mathews	Speaks
Burkhalter	Hardy	Mathison	Steagall
Callahan	Hare	Meeks	Stembridge
Cornett	Harrison	Merrill	Summerlin
Cox	Harvey	Molette	Taylor
Crook	Hawkins	Money	Vacca
Davis	Hodges	Nettles	Windle
deGraffenried	Holliman	Nice	Wood
Dement	Huddleston		

—90

And the bill:

H. 910. To authorize and empower the governing body of the City of Guntersville, Alabama, by resolution, to authorize the Mayor of the City of Guntersville to lease or sub-lease any of the real or personal

property now owned or leased by such City, or hereinafter acquired or leased by said City of Guntersville, to provide that a lease or sub-lease made in accordance with such resolution shall be binding for the term specified in the resolution not to exceed a period of ten years, to provide restrictions upon such sub-leases, to provide that the provisions of such act are severable, and to provide when this Act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

**Yeas:**

Mr. Speaker	deGraffenried	Hunt	Nolen
Adams	Dement	Jenkins	Oakley
Albea	DeSear	Johnson (Tallapoosa)	Oden
Ashworth	Dickson	Kendall	Payne
Bassett	Edwards (Escambia)	Killough	Pirkle
Boyd	Edwards (Jefferson)	Lackey	Pruitt
Bradford	Faulk	Law	Ramey
Brannan	Ferrell	Lee (Lawrence)	Roberts
Branyon	Franklin	Locke (Perry)	Selman
Brassell	Gilchrist	McClendon	Shumate
Brewer	Gist	McLendon	Simon
Broadfoot	Gregory	McNider	Solomon
Brooks	Grouby	Martin	Speaks
Brown (Lamar)	Hain	Mathews	Steagall
Brown (Lee)	Hall	Mathison	Stembridge
Burkhalter	Hanby	Meeks	Summerlin
Callahan	Hardy	Merrill	Taylor
Cornett	Hare	Molette	Tyson
Cox	Harvey	Money	Vacca
Crook	Hawkins	Nettles	Windle
Davis	Hodges	Nice	Wood
Dawkins	Holliman		

—86

And the bill:

H. 911. Relating to Monroe County; requiring the court of county commissioners, board of revenue, or like governing body of said county to pay or cause to be paid to certain county employees a minimum hourly wage of eighty cents.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

**Yeas:**

Mr. Speaker	Brown (Lamar)	Dickson	Haltom
Adams	Brown (Lee)	Edwards (Escambia)	Hanby
Albea	Burkhalter	Edwards (Jefferson)	Hardy
Ashworth	Callahan	Faulk	Hare
Bassett	Cornett	Ferrell	Harvey
Boyd	Cox	Franklin	Hawkins
Bradford	Crook	Gilchrist	Hodges
Brannan	Davis	Gist	Holliman
Branyon	Dawkins	Gregory	Huddleston
Brassell	deGraffenried	Grouby	Hunt
Brewer	Dement	Hain	Jenkins
Broadfoot	DeSear	Hall	Johnson (Tallapoosa)

Kendall	Martin	Oden	Solomon
Killough	Mathews	Payne	Speaks
Lackey	Mathison	Pirkle	Steagall
Law	Merrill	Pruitt	Stembridge
Lee (Lawrence)	Molette	Ramey	Summerlin
Locke (Perry)	Money	Richardson	Tyson
McClendon	Nettles	Roberts	Vacca
McKay	Nice	Selman	Windle
McLendon	Nolen	Shumate	Wood
McNider	Oakley	Simon	

—87

And the bill:

H. 912. Relating to the election of members of the County Commission of Monroe County; Providing that such members shall be elected by vote of the qualified electors of the county at large.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

#### Yeas:

Mr. Speaker	Dement	Holliman	Nolen
Adams	DeSear	Huddleston	Oden
Albea	Dickson	Hunt	Payne
Ashworth	Edwards (Escambia)	Jenkins	Pirkle
Bassett	Edwards (Jefferson)	Johnson (Tallapoosa)	Pruitt
Boyd	Faulk	Kendall	Ramey
Bradford	Ferrell	Lackey	Richardson
Brannan	Franklin	Law	Roberts
Branyon	Gilchrist	Lee (Lawrence)	Selman
Brassell	Gist	Locke (Perry)	Shumate
Brewer	Gregory	McClendon	Simon
Broadfoot	Grouby	McKay	Solomon
Brooks	Hain	McLendon	Speaks
Brown (Lamar)	Hall	McNider	Steagall
Brown (Lee)	Halton	Martin	Stembridge
Burkhalter	Hanby	Mathews	Stokes
Callahan	Hardy	Mathison	Summerlin
Cornett	Hare	Merrill	Taylor
Cox	Harvey	Molette	Vacca
Crook	Hawkins	Money	Windle
Davis	Hodges	Nettles	Wood
deGraffenried			

—85

And the bill:

H. 913. Relating to Monroe County; authorizing and directing the court of county commissioners of Monroe County to provide for the installation and use of voting machines in certain election precincts within the county; and authorizing the court of county commissioners to adjust the boundaries of election precincts and districts within the county in order to make the most effective use of such machines.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

#### Yeas:

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Branyon	Grouby	Lee (Lawrence)	Pirkle
Brassell	Hain	Locke (Perry)	Pruitt
Broadfoot	Hall	Love	Ramey
Brooks	Haltom	McClendon	Richardson
Brown (Lamar)	Hanby	McKay	Roberts
Brown (Lee)	Hardy	McLendon	Selman
Burkhalter	Hare	McNider	Shumate
Callahan	Harvey	Martin	Simon
Cox	Hawkins	Mathews	Solomon
Crook	Hodges	Mathison	Speaks
Davis	Holliman	Meeks	Steagall
deGraffenried	Huddleston	Merrill	Stembridge
Dement	Hunt	Molette	Stokes
Edwards (Escambia)	Jenkins	Money	Summerlin
Edwards (Jefferson)	Johnson (Tallapoosa)	Nettles	Taylor
Faulk	Kendall	Nice	Thomas
Franklin	Killough	Nolen	Vacca
Gilchrist	Kirkham	Oakley	Windle
Gist	Lackey	Oden	Wood
Gregory	Law	Payne	

—87

And the bill:

H. 914. Relating to Monroe County; requiring the court of county commissioners, board of revenue or like governing body of said county to cover or cause to be covered the employees of the county, or of any agency or instrumentality thereof, including the employees of elected officials, under the Workmen's Compensation Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Kendall	Oakley
Adams	Faulk	Killough	Oden
Albea	Ferrell	Kirkham	Payne
Ashworth	Franklin	Lackey	Pirkle
Bassett	Gilchrist	Law	Pruitt
Boyd	Gist	Lee (Lawrence)	Ramey
Bradford	Gregory	Locke (Perry)	Richardson
Brannan	Grouby	Love	Roberts
Brassell	Hain	McClendon	Selman
Brewer	Hall	McKay	Shumate
Broadfoot	Haltom	McLendon	Simon
Brown (Lamar)	Hanby	McNider	Solomon
Brown (Lee)	Hardy	Martin	Speaks
Burkhalter	Hare	Mathews	Steagall
Callahan	Harvey	Mathison	Stembridge
Cox	Hawkins	Meeks	Stokes
Davis	Hodges	Merrill	Summerlin
deGraffenried	Holliman	Molette	Taylor
Dement	Huddleston	Money	Thomas
DeSear	Hunt	Nettles	Vacca
Dickson	Jenkins	Nice	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Nolen	Wood

—88

And the bill:

H. 915. Relating to Monroe County: To regulate further the purchasing of supplies, materials, equipment, and services for the use of

the county and county officers, offices, departments, and agencies, and the disposition and use of county property; providing penalties for violations of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Oakley
Adams	Edwards (Escambia)	Kendall	Oden
Albea	Edwards (Jefferson)	Killough	Payne
Ashworth	Faulk	Kirkham	Pirkle
Bassett	Ferrell	Lackey	Pruitt
Boyd	Franklin	Law	Ramey
Bradford	Gilchrist	Lee (Lawrence)	Richardson
Brannan	Gist	Locke (Perry)	Roberts
Branyon	Gregory	Love	Selman
Brassell	Grouby	McClendon	Shumate
Brewer	Hain	McKay	Simon
Broadfoot	Hall	McLendon	Solomon
Brooks	Hanby	McNider	Speaks
Brown (Lamar)	Hardy	Martin	Steagall
Brown (Lee)	Hare	Mathews	Stembridge
Burkhalter	Harrison	Mathison	Stokes
Callahan	Harvey	Meeks	Summerlin
Cornett	Hawkins	Merrill	Taylor
Cox	Hodges	Molette	Thomas
Crook	Holliman	Money	Vacca
Davis	Huddleston	Nettles	Windle
deGraffenried	Hunt	Nice	Wood
Dement	Jenkins	Nolen	

—91

And the bill:

H. 916. Relating to Monroe County: To create and establish in Monroe County a court of record with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Inferior Court of Monroe County"; defining its jurisdiction; providing it with officers; defining their powers, duties, compensation, their terms of office, and the manner of their selection, appointment and election; regulating its procedure and process and the return of warrants therefor; abolishing the existing county court of Monroe County, taking criminal jurisdiction away from justice of the peace courts in the county and providing for the transfer and trial of cases pending in the abolished court and of criminal cases pending in justice of the peace courts at the time this Act takes effect to the newly created Inferior Court of Monroe County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

**Yeas:**

Mr. Speaker	Boyd	Brewer	Callahan
Adams	Bradford	Broadfoot	Cornett
Albea	Brannan	Brooks	Cox
Ashworth	Branyon	Brown (Lee)	Crook
Bassett	Brassell	Burkhalter	Davis

deGraffenried	Harrison	McKay	Pruitt
Dement	Harvey	McLendon	Ramey
Dickson	Hawkins	McNider	Richardson
Edwards (Escambia)	Hodges	Martin	Roberts
Edwards (Jefferson)	Holliman	Mathews	Selman
Faulk	Huddleston	Meeks	Shumate
Ferrell	Hunt	Merrill	Simon
Franklin	Jenkins	Molette	Solomon
Gilchrist	Johnson (Tallapoosa)	Money	Speaks
Gist	Kendall	Nettles	Steagall
Gregory	Kirkham	Nice	Stembridge
Grouby	Lackey	Nolen	Stokes
Hain	Law	Oakley	Summerlin
Hall	Lee (Lawrence)	Oden	Thomas
Haltom	Locke (Perry)	Payne	Vacca
Hardy	Love	Perry	Windle
Hare	McClendon	Pirkle	Wood

—88

And the bill:

H. 917. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 225,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dickson	Huddleston	Oakley
Adams	Edwards (Escambia)	Hunt	Payne
Albea	Edwards (Jefferson)	Jenkins	Perry
Ashworth	Faulk	Johnson (Tallapoosa)	Pirkle
Boyd	Ferrell	Kendall	Pruitt
Bradford	Franklin	Kirkham	Ramey
Branyon	Gilchrist	Lackey	Richardson
Brassell	Gist	Lee (Lawrence)	Roberts
Brewer	Gregory	Locke (Perry)	Selman
Broadfoot	Grouby	McClendon	Shumate
Brooks	Hain	McLendon	Simon
Brown (Lamar)	Hall	McNider	Solomon
Brown (Lee)	Haltom	Martin	Speaks
Burkhalter	Hanby	Mathews	Steagall
Callahan	Hardy	Mathison	Stembridge
Cornett	Hare	Meeks	Stokes
Cox	Harrison	Merrill	Summerlin
Crook	Harvey	Molette	Taylor
Davis	Hawkins	Nettles	Thomas
deGraffenried	Hodges	Nice	Vacca
Dement	Holliman	Nolen	Windle

—84

And the bill:

H. 919. Relating to Sumter County: To amend further Act No. 261, H. 571, approved August 6, 1947 (Local Acts of Alabama, 1947, page 187), which created the Board of Commissioners of Sumter County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Jenkins	Nolen
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Albea	Faulk	Kendall	Oden
Ashworth	Ferrell	Killough	Payne
Bassett	Franklin	Kirkham	Perry
Boyd	Gilchrist	Lackey	Pirkle
Bradford	Gist	Law	Pruitt
Brannan	Gregory	Lee (Lawrence)	Ramey
Branyon	Grouby	Locke (Perry)	Richardson
Brassell	Hain	Love	Roberts
Brewer	Hall	McClendon	Selman
Broadfoot	Haltom	McKay	Shumate
Brooks	Hanby	McLendon	Simon
Brown (Lamar)	Hardy	McNider	Solomon
Brown (Lee)	Hare	Martin	Speaks
Burkhalter	Harrison	Mathews	Steagall
Callahan	Harvey	Mathison	Stembridge
Cornett	Hawkins	Merrill	Taylor
Davis	Hodges	Molette	Thomas
deGraffenried	Holliman	Money	Vacca
Dement	Huddleston	Nettles	Windle
Dickson	Hunt		

—86

And the bill:

H. 920. To provide for the appointment of a clerk of the civil and misdemeanors court of south Talladega County, and to prescribe his qualifications, duties, and compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

**Yeas:**

Mr. Speaker	Callahan	Gregory	Jenkins
Adams	Cornett	Grouby	Johnson (Tallapoosa)
Albea	Crook	Hain	Kendall
Bassett	Davis	Hall	Killough
Boyd	deGraffenried	Haltom	Kirkham
Bradford	Dement	Hanby	Lackey
Brannan	DeSear	Hardy	Lee (Lawrence)
Branyon	Dickson	Harrison	Locke (Perry)
Brassell	Edwards (Escambia)	Harvey	McClendon
Broadfoot	Edwards (Jefferson)	Hawkins	McKay
Brooks	Faulk	Hodges	McLendon
Brown (Lamar)	Ferrell	Holliman	McNider
Brown (Lee)	Franklin	Huddleston	Martin
Burkhalter	Gist	Hunt	Mathews

Meeks	Payne	Shumate	Summerlin
Merrill	Pirkle	Simon	Taylor
Molette	Pruitt	Solomon	Thomas
Money	Ramey	Speaks	Vacca
Nettles	Richardson	Steagall	Windle
Nolen	Roberts	Stembridge	Wood
Oden	Selman		

—82

And the bill:

H. 927. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Ferrell	Kendall	Oden
Adams	Franklin	Killough	Payne
Albea	Gilchrist	Lackey	Pirkle
Boyd	Gist	Lee (Lawrence)	Ramey
Bradford	Gregory	Locke (Perry)	Richardson
Brassell	Grouby	McKay	Selman
Broadfoot	Hain	McLendon	Shumate
Brown (Lee)	Hall	McNider	Simon
Callahan	Hare	Martin	Speaks
Cox	Harrison	Meeks	Steagall
Davis	Hawkins	Merrill	Stembridge
deGraffenried	Hodges	Molette	Summerlin
Dement	Holliman	Money	Taylor
Dickson	Huddleston	Nettles	Thomas
Edwards (Escambia)	Hunt	Nolen	Vacca
Edwards (Jefferson)	Jenkins	Oakley	Windle
Faulk			

—65

And the bill:

H. 928. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Burkhalter	Faulk	Hare
Adams	Callahan	Ferrell	Harrison
Albea	Cornett	Franklin	Harvey
Boyd	Cox	Gilchrist	Hawkins
Bradford	Davis	Gist	Hodges
Brannan	deGraffenried	Gregory	Holliman
Brassell	Dement	Grouby	Huddleston
Broadfoot	Dickson	Hain	Hunt
Brooks	Edwards (Escambia)	Hall	Jenkins
Brown (Lee)	Edwards (Jefferson)	Hanby	Johnson (Tallapoosa)



Kendall	Martin	Oden	Speaks
Killough	Mathews	Payne	Steagall
Kirkham	Meeks	Pirkle	Stembridge
Lackey	Merrill	Ramey	Summerlin
Law	Molette	Richardson	Taylor
Lee (Lawrence)	Money	Roberts	Thomas
Locke (Perry)	Nettles	Selman	Vacca
McClendon	Nice	Shumate	Windle
McKay	Nolen	Solomon	Wood
McNider	Oakley		

—78

And the bill:

H. 929. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kendall	Nolen
Adams	Edwards (Jefferson)	Killough	Oakley
Albea	Faulk	Kirkham	Oden
Ashworth	Franklin	Lackey	Payne
Bassett	Gilchrist	Law	Pirkle
Boyd	Gist	Lee (Lawrence)	Ramey
Bradford	Gregory	Locke (Perry)	Richardson
Brannan	Grouby	McClendon	Roberts
Brassell	Hain	McKay	Selman
Broadfoot	Hall	McLendon	Shumate
Brooks	Hanby	McNider	Solomon
Burkhalter	Hardy	Martin	Speaks
Callahan	Hare	Mathews	Steagall
Cornett	Harrison	Mathison	Stembridge
Cox	Harvey	Meeks	Summerlin
Crook	Hawkins	Merrill	Taylor
Davis	Hodges	Molette	Thomas
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Nettles	Windle
DeSear	Jenkins	Nice	Wood
Dickson	Johnson (Tallapoosa)		

—82

And the bill:

H. 930. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

**Yeas:**

Mr. Speaker	Ashworth	Bradford	Brassell
Adams	Bassett	Brannan	Brewer
Albea	Boyd	Branyon	Broadfoot

Brooks	Hain	Lee (Lawrence)	Payne
Brown (Lamar)	Hall	Locke (Perry)	Pirkle
Burkhalter	Hanby	McClendon	Ramey
Callahan	Hardy	McKay	Richardson
Cornett	Harrison	McLendon	Roberts
Cox	Harvey	McNider	Selman
Crook	Hawkins	Martin	Shumate
Davis	Hodges	Mathews	Simon
deGraffenried	Holliman	Mathison	Solomon
Dement	Huddleston	Meeks	Speaks
Dickson	Hunt	Merrill	Steagall
Edwards (Escambia)	Jenkins	Molette	Stembridge
Edwards (Jefferson)	Johnson (Tallapoosa)	Money	Summerlin
Ferrell	Kendall	Nettles	Taylor
Franklin	Killough	Nice	Tyson
Gist	Kirkham	Nolen	Vacca
Goodwyn	Lackey	Oakley	Windle
Gregory	Law	Oden	Wood
Grouby			

—85

And the bill:

H. 932. To provide for the manner of electing the members of the DeKalb County Board of Education, and to specify their election of one member thereof from each of the Commissioners Districts of DeKalb County, Alabama, and one member at large from said county and to provide their terms of office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

**Yeas:**

Mr. Speaker	Dement	Jenkins	Nice
Adams	DeSear	Johnson (Tallapoosa)	Nolen
Albea	Dickson	Kendall	Oakley
Ashworth	Edwards (Escambia)	Killough	Oden
Bassett	Edwards (Jefferson)	Kirkham	Payne
Boyd	Ferrell	Lackey	Pirkle
Bradford	Franklin	Law	Ramey
Brannan	Gist	Lee (Lawrence)	Richardson
Branyon	Gregory	Locke (Perry)	Selman
Brassell	Hain	McClendon	Shumate
Brewer	Haltom	McLendon	Solomon
Broadfoot	Hanby	McNider	Speaks
Brooks	Hardy	Martin	Steagall
Brown (Lamar)	Harrison	Mathews	Stembridge
Burkhalter	Harvey	Mathison	Summerlin
Callahan	Hawkins	Meeks	Taylor
Cornett	Hodges	Merrill	Vacca
Cox	Holliman	Molette	Windle
Davis	Huddleston	Money	Wood
deGraffenried	Hunt	Nettles	

—79

And the bill:

H. 934. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census, and to further regulate the number of meetings allowed to be held by the County Boards of Education in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Adams	Edwards (Jefferson)	Kendall	Oden
Albea	Faulk	Kirkham	Payne
Ashworth	Ferrell	Lackey	Pirkle
Bassett	Franklin	Law	Ramey
Boyd	Gist	Lee (Lawrence)	Richardson
Bradford	Goodwyn	Locke (Perry)	Roberts
Brannan	Gregory	McClendon	Selman
Branyon	Grouby	McLendon	Shumate
Brassell	Hain	McNider	Simon
Broadfoot	Hall	Martin	Solomon
Brooks	Hanby	Mathews	Speaks
Brown (Lamar)	Hardy	Mathison	Steagall
Burkhalter	Harvey	Meeks	Stembridge
Callahan	Hawkins	Merrill	Summerlin
Cornett	Hodges	Molette	Taylor
Cox	Holliman	Money	Tyson
Crook	Huddleston	Nettles	Vacca
Dement	Hunt	Nice	Windle
DeSear	Jenkins	Nolen	Wood
Dickson			

—81

And the bill:

H. 935. To regulate further the insuring of school buildings and other school property in counties having a population of not less than 50,000 nor more than 54,000 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

**Yeas:**

Mr. Speaker	Davis	Hardy	Mathews
Adams	deGraffenried	Harvey	Mathison
Albea	Dement	Hodges	Meeks
Ashworth	DeSear	Holliman	Merrill
Bassett	Dickson	Huddleston	Molette
Boyd	Edwards (Escambia)	Hunt	Money
Bradford	Edwards (Jefferson)	Jenkins	Nettles
Brannan	Faulk	Johnson (Tallapoosa)	Nice
Branyon	Ferrell	Killough	Nolen
Brassell	Franklin	Kirkham	Oden
Brewer	Gilchrist	Lackey	Payne
Broadfoot	Gist	Law	Pirkle
Brooks	Goodwyn	Lee (Lawrence)	Pruitt
Brown (Lamar)	Gregory	Locke (Perry)	Ramey
Burkhalter	Grouby	McClendon	Richardson
Callahan	Hain	McKay	Roberts
Cornett	Hall	McLendon	Selman
Cox	Haltom	McNider	Shumate
Crook	Hanby	Martin	Simon

Solomon  
Speaks  
Steagall

Stembridge  
Summerlin  
Thomas

Tyson  
Vacca

Windle  
Wood

—86

And the bill:

H. 952. Relating to Mobile County; levying a privilege license tax upon every person, firm, or corporation selling, delivering, or withdrawing from storage or keeping in storage for sale or delivery in Mobile County, any gasoline, naptha, and other liquid motor fuels, or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude oil" commonly used for lighting, heating, or industrial purposes; providing that the amount of any municipal excise tax levied on such motor fuels and paid to any municipality in Mobile County shall be a credit toward the payment of the tax levied by this Act; providing for the enforcement and collection of the tax; providing for the distribution of the proceeds thereof among the county and the incorporated cities and towns in the county; and prescribing penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Oakley
Adams	Dickson	Johnson (Tallapoosa)	Oden
Albea	Edwards (Escambia)	Kendall	Perry
Ashworth	Edwards (Jefferson)	Killough	Pirkle
Bassett	Faulk	Kirkham	Pruitt
Boyd	Ferrell	Lackey	Ramey
Bradford	Franklin	Law	Richardson
Brannan	Gist	Lee (Lawrence)	Selman
Branyon	Goodwyn	Locke (Perry)	Shumate
Brassell	Gregory	McKay	Simon
Brewer	Grouby	McLendon	Solomon
Broadfoot	Hain	McNider	Speaks
Brooks	Hall	Martin	Steagall
Brown (Lamar)	Haltom	Mathews	Stembridge
Burkhalter	Hanby	Mathison	Summerlin
Callahan	Hardy	Meeks	Taylor
Cornett	Harrison	Merrill	Thomas
Cox	Hawkins	Molette	Tyson
Crook	Hodges	Money	Vacca
Davis	Holliman	Nettles	Windle
deGraffenried	Huddleston	Nice	Wood
Dement	Hunt	Nolen	

—87

And the bill:

H. 949. To fix the compensation or salary of the Deputy Circuit Clerk created under Title 13, Section 199 of the Code of Alabama 1940, for the division of the tenth judicial circuit described therein. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Johnson (Elmore)	Nolen
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Albea	Edwards (Jefferson)	Kaul	Oden
Ashworth	Faulk	Kirkham	Payne
Bassett	Ferrell	Lackey	Perry
Boyd	Franklin	Law	Pirkle
Bradford	Gilchrist	Lee (Barbour)	Pruitt
Brannan	Gist	Lee (Lawrence)	Ramey
Branyon	Goodwyn	Locke (Perry)	Richardson
Brassell	Gregory	McClendon	Selman
Brewer	Grouby	McKay	Shumate
Broadfoot	Hain	McLendon	Simon
Brooks	Hall	McNider	Solomon
Brown (Lamar)	Haltom	Martin	Speaks
Burkhalter	Hanby	Mathews	Steagall
Callahan	Hardy	Mathison	Stembridge
Cornett	Harvey	Meeks	Summerlin
Cox	Hawkins	Merrill	Thomas
Crook	Hodges	Molette	Tyson
Davis	Holliman	Money	Vacca
deGraffenried	Huddleston	Nettles	Windle
Dement	Hunt	Nice	Wood
DeSear	Jenkins		

—90

And the bill:

H. 948. To increase the compensation of the Judge of any Court in the Counties of over 400,000 according to the last and any subsequent federal census where such judge is elected by the Circuit judges of such counties and said judge has original jurisdiction only to try misdemeanor cases and has jurisdiction as a committing magistrate in felony cases and has no authority to try civil cases nor domestic relation cases and also has jurisdiction in bastardy proceedings which increase is to begin at the beginning of the new term of office of said judge.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Cox	Grouby	Kaul
Adams	Crook	Hain	Kendall
Albea	Davis	Hall	Killough
Bassett	deGraffenried	Haltom	Kirkham
Boyd	Dement	Hanby	Lackey
Bradford	DeSear	Hardy	Law
Brannan	Dickson	Hare	Lee (Barbour)
Branyon	Edwards (Escambia)	Harvey	Lee (Lawrence)
Brassell	Edwards (Jefferson)	Hawkins	Locke (Perry)
Brewer	Faulk	Hodges	McClendon
Broadfoot	Ferrell	Holliman	McKay
Brooks	Franklin	Huddleston	McLendon
Brown (Lamar)	Gilchrist	Hunt	McNider
Burkhalter	Gist	Jenkins	Martin
Callahan	Goodwyn	Johnson (Elmore)	Mathews
Cornett	Gregory	Johnson (Tallapoosa)	Mathison

Meeks	Oakley	Roberts	Summerlin
Merrill	Oden	Shumate	Taylor
Molette	Perry	Simon	Thomas
Money	Pirkle	Solomon	Tyson
Nettles	Pruitt	Speaks	Vacca
Nice	Ramey	Steagall	Windle
Nolen	Richardson	Stembridge	Wood

—92

And the bill:

H. 947. To fix the compensation or salary of the Sheriff of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dickson	Jenkins	Nice
Adams	Edwards (Escambia)	Johnson (Elmore)	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Ashworth	Faulk	Kaul	Oden
Bassett	Ferrell	Kendall	Payne
Boyd	Franklin	Kirkham	Perry
Bradford	Gilchrist	Lackey	Pirkle
Brannan	Gist	Law	Ramey
Branyon	Goodwyn	Lee (Barbour)	Richardson
Brassell	Gregory	Lee (Lawrence)	Roberts
Brewer	Grouby	Locke (Perry)	Selman
Broadfoot	Hain	McClendon	Shumate
Brooks	Hall	McKay	Simon
Brooks	Haltom	McLendon	Solomon
Brown (Lamar)	Hanby	McNider	Speaks
Burkhalter	Hardy	Martin	Steagall
Callahan	Hare	Mathews	Stembridge
Cornett	Harvey	Mathison	Summerlin
Cox	Hawkins	Meeks	Thomas
Crook	Hodges	Merrill	Tyson
Davis	Holliman	Molette	Vacca
deGraffenried	Huddleston	Money	Windle
Dement	Hunt	Nettles	Wood
DeSear			

—92

And the bill:

H. 946. To amend Section 788 of Title 37 of the 1940 Code of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Branyon	Gist	Kendall	Nice
Brassell	Goodwyn	Killough	Nolen
Brewer	Gregory	Kirkham	Oakley
Broadfoot	Grouby	Lackey	Oden
Brooks	Hain	Law	Payne
Brown (Lamar)	Hall	Lee (Barbour)	Perry
Burkhalter	Haltom	Lee (Lawrence)	<b>Pruitt</b>
Callahan	Hanby	Locke (Perry)	Ramey
Cornett	Hardy	McClendon	Richardson
Cox	Hare	McKay	Roberts
Davis	Harrison	McLendon	<b>Shumate</b>
deGraffenried	Harvey	McNider	Simon
Dement	Hawkins	Martin	<b>Speaks</b>
Dickson	Hodges	Mathews	Steagall
Edwards (Escambia)	Holliman	Mathison	Stembridge
Edwards (Jefferson)	Hunt	Meeks	Thomas
Faulk	Jenkins	Merrill	Vacca
Ferrell	Johnson (Elmore)	Molette	Windle
Franklin	Johnson (Tallapoosa)	Money	Wood
Gilchrist	Kaul	Nettles	

—87

And the bill:

H. 945. To fix the compensation or salary of the Treasurer of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Adams	Faulk	Kaul	Oakley
Albea	Ferrell	Kendall	<b>Oden</b>
Ashworth	Franklin	Killough	Payne
Bassett	Gilchrist	Kirkham	Perry
Bradford	Gist	Lackey	<b>Pirkle</b>
Brannan	Goodwyn	Law	Pruitt
Branyon	Gregory	Lee (Barbour)	Ramey
Brassell	Grouby	Lee (Lawrence)	Richardson
Brewer	Hain	Locke (Perry)	Roberts
Broadfoot	Hall	McClendon	<b>Shumate</b>
Brooks	Haltom	McKay	Simon
Brown (Lamar)	Hanby	McLendon	<b>Solomon</b>
Burkhalter	Harrison	McNider	<b>Speaks</b>
Callahan	Harvey	Martin	Steagall
Cornett	Hawkins	Mathews	Stembridge
Cox	Hodges	Mathison	<b>Summerlin</b>
Crook	Holliman	Meeks	Taylor
deGraffenried	Huddleston	Merrill	Thomas
Dement	Hunt	Money	Vacca
DeSear	Jenkins	Nettles	Windle
Dickson	Johnson (Elmore)	Nice	Wood
Edwards (Escambia)			

—89

And the bill:

H. 944. TO provide for the selection, election and term of office of members of the governing body of any city which may now or hereafter have a population of 250,000 or more inhabitants according to the last or any succeeding federal census; to provide for the filling of vacancies on the governing body of any such city; to provide for the distribution of powers and duties into and among three departments of government and the assignment thereof among the members of the governing body of any such city; to provide that any person heretofore elected to the office of president of the commission or commissioner upon the governing body of any such city and assigned by the commission thereof to and serving as head of the Department of General Administration, Finances and Accounts or the Department of Public Improvements or the Department of Public Safety on the 31st day of December, 1954, shall not be subject to change in such assignment by the commission of such city; to provide that this Act shall not apply to any city governed under the provisions of Act No. 518 of the 1953 Session of the Legislature; to provide that all powers vested in any such city by this Act, by the laws general and local of the State and by Title 62, Code of Alabama of 1940, as amended, shall be vested in the commission of such city; to provide when the various provisions of this Act shall become applicable to any such city; to repeal all laws or parts of laws in conflict with the provisions of this Act; and to provide for the severability of any section, clause, provision or portion of this Act should any such section, clause, provision or portion be held invalid by any court of competent jurisdiction.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Jenkins	Nettles
Adams	Edwards (Jefferson)	Johnson (Elmore)	Nice
Albea	Faulk	Johnson (Tallapoosa)	Nolen
Ashworth	Ferrell	Kaul	Oakley
Bassett	Franklin	Kendall	Oden
Bradford	Gilchrist	Killough	Payne
Brannan	Gist	Kirkham	Perry
Branyon	Goodwyn	Lackey	Pruitt
Brassell	Gregory	Lee (Barbour)	Ramey
Brewer	Hain	Lee (Lawrence)	Richardson
Broadfoot	Hall	Locke (Perry)	Roberts
Brooks	Haltom	McClendon	Selman
Brown (Lamar)	Hanby	McKay	Shumate
Burkhalter	Hardy	McLendon	Simon
Callahan	Hare	McNider	Speaks
Cornett	Harrison	Martin	Steagall
Cox	Harvey	Mathews	Stembridge
Crook	Hawkins	Mathison	Summerlin
Davis	Hodges	Meeks	Taylor
deGraffenried	Holliman	Merrill	Vacca
Dement	Huddleston	Molette	Windle
DeSear	Hunt	Money	Wood
Dickson			

And the bill:

H. 943. To fix the compensation or salaries of Tax Assessors and Tax Collectors in counties of 500,000 inhabitants, or more, according to the last or any subsequent Federal census; and to require such officers



to pay in to the county treasury of such county, or counties, all fees, commissions, costs or other emoluments which are now allowed by law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Oakley
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Albea	Faulk	Kaul	Payne
Ashworth	Ferrell	Killough	Perry
Bassett	Franklin	Kirkham	Pirkle
Bradford	Gilchrist	Lackey	Pruitt
Brannan	Gist	Lee (Barbour)	Ramey
Brassell	Goodwyn	Lee (Lawrence)	Richardson
Brewer	Gregory	Locke (Perry)	Roberts
Broadfoot	Hain	McClendon	Selman
Brooks	Hall	McKay	Shumate
Brown (Lamar)	Haltom	McNider	Simon
Burkhalter	Hanby	Martin	Solomon
Callahan	Hardy	Mathews	Speaks
Cornett	Harrison	Mathison	Steagall
Crook	Harvey	Meeks	Stembridge
Davis	Hawkins	Merrill	Summerlin
Dawkins	Hodges	Molette	Taylor
deGraffenried	Holliman	Money	Thomas
Dement	Huddleston	Nettles	Vacca
DeSear	Hunt	Nice	Windle
Dickson	Jenkins	Nolen	Wood

—88

And the bill:

H. 942. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide that this act shall become effective on the first Monday of November, 1957.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

**Yeas:**

Mr. Speaker	Burkhalter	Franklin	Harvey
Adams	Callahan	Gilchrist	Hawkins
Albea	Cornett	Gist	Hodges
Ashworth	Crook	Goodwyn	Holliman
Bassett	Davis	Gregory	Huddleston
Bradford	deGraffenried	Hain	Hunt
Brannan	Dement	Hall	Jenkins
Brassell	DeSear	Haltom	Johnson (Elmore)
Brewer	Dickson	Hanby	Johnson (Tallapoosa)
Broadfoot	Edwards (Escambia)	Hardy	Kaul
Brooks	Edwards (Jefferson)	Hare	Kirkham
Brown (Lamar)	Ferrell	Harrison	Lackey

Law	Mathison	Payne	Solomon
Lee (Barbour)	Meeks	Perry	Speaks
Lee (Lawrence)	Merrill	Pirkle	Steagall
Locke (Perry)	Molette	Pruitt	Stembridge
McClendon	Money	Ramey	Summerlin
McKay	Nettles	Richardson	Taylor
McLendon	Nice	Roberts	Thomas
McNider	Nolen	Selman	Vacca
Martin	Oakley	Shumate	Windle
Mathews	Oden	Simon	Wood

—88

And the bill:

H. 941. To fix the salary of the Judge of the Juvenile & Domestic Relations Court of any County in this state having a population of more than 400,000 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Adams	Ferrell	Kaul	Oakley
Albee	Franklin	Killough	Payne
Ashworth	Gilchrist	Kirkham	Perry
Bassett	Gist	Lackey	Pirkle
Bradford	Goodwyn	Lee (Barbour)	Pruitt
Brannan	Gregory	Lee (Lawrence)	Ramey
Brassell	Hain	Locke (Perry)	Richardson
Brewer	Hall	McClendon	Roberts
Broadfoot	Haltom	McKay	Selman
Brooks	Hanby	McLendon	Simon
Brown (Lamar)	Hardy	McNider	Solomon
Burkhalter	Hare	Martin	Speaks
Callahan	Harrison	Mathews	Steagall
Cornett	Harvey	Mathison	Stembridge
Cox	Hawkins	Meeks	Summerlin
Crook	Hodges	Merrill	Taylor
deGraffenried	Holliman	Molette	Thomas
Dement	Huddleston	Money	Vacca
DeSear	Hunt	Nettles	Windle
Dickson	Jenkins	Nice	Wood
Edwards (Escambia)	Johnson (Elmore)		

—86

And the bill:

H. 940. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

**Yeas:**

Mr. Speaker	Ferrell	Kaul	Oden
Adams	Franklin	Kirkham	Payne
Albea	Gilchrist	Lackey	Perry
Ashworth	Gregory	Law	Pirkle
Bassett	Grouby	Lee (Barbour)	Pruitt
Bradford	Hain	Lee (Lawrence)	Ramey
Brannan	Hall	Locke (Perry)	Richardson
Brassell	Haltom	McKay	Roberts
Brewer	Hanby	McLendon	Selman
Broadfoot	Hardy	McNider	Shumate
Brooks	Hare	Martin	Simon
Brown (Lamar)	Harrison	Mathews	Solomon
Burkhalter	Harvey	Mathison	Speaks
Callahan	Hawkins	Meeks	Steagall
Cornett	Hodges	Merrill	Stembridge
deGraffenried	Holliman	Money	Summerlin
Dement	Hunt	Nettles	Taylor
Dickson	Jenkins	Nice	Vacca
Edwards (Escambia)	Johnson (Elmore)	Nolen	Windle
Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley	Wood

—80

And the bill:

H. 939. To provide for the compensation to be paid certain Deputy Circuit Solicitors by counties having a population of four hundred thousand (400,000) or more according to the last or any succeeding decennial federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Kaul	Oakley
Adams	Ferrell	Killough	Oden
Albea	Franklin	Kirkham	Payne
Ashworth	Gilchrist	Lackey	Perry
Bassett	Gist	Lee (Lawrence)	Pirkle
Bradford	Gregory	Locke (Perry)	Pruitt
Brannan	Hain	McClendon	Ramey
Brassell	Hall	McKay	Richardson
Brewer	Haltom	McLendon	Selman
Broadfoot	Hardy	McNider	Shumate
Brooks	Hare	Martin	Simon
Brown (Lamar)	Harrison	Mathews	Solomon
Burkhalter	Harvey	Mathison	Speaks
Callahan	Hawkins	Meeks	Steagall
Cornett	Hodges	Merrill	Stembridge
Cox	Holliman	Molette	Summerlin
Crook	Hunt	Money	Taylor
deGraffenried	Jenkins	Nettles	Vacca
Dement	Johnson (Elmore)	Nice	Windle
Dickson	Johnson (Tallapoosa)	Nolen	Wood
Edwards (Escambia)			

—81

And the bill:

H. 938. To fix the compensation or salary of the Circuit Clerk of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

**Yeas:**

Mr. Speaker	Faulk	Kaul	Nice
Adams	Ferrell	Killough	Nolen
Albea	Franklin	Kirkham	Oakley
Bassett	Gist	Lackey	Oden
Bradford	Grouby	Lee (Lawrence)	Perry
Brannan	Hain	Locke (Perry)	Pruitt
Brassell	Hall	McClendon	Ramey
Broadfoot	Hanby	McKay	Richardson
Brooks	Hardy	McLendon	Simon
Brown (Lamar)	Hare	McNider	Solomon
Burkhalter	Harrison	Martin	Speaks
Callahan	Harvey	Mathews	Steagall
Cornett	Hawkins	Mathison	Stembridge
Crook	Hodges	Meeks	Summerlin
deGraffenried	Holliman	Merrill	Taylor
Dement	Hunt	Molette	Vacca
Dickson	Jenkins	Money	Windle
Edwards (Escambia)	Johnson (Elmore)	Nettles	Wood
Edwards (Jefferson)	Johnson (Tallapoosa)		

—74

**And the bill:**

H. 937. To amend Section 4 and 8 of an Act of the Legislature approved September 4, 1951, General Acts of Alabama of 1951, page 1132, entitled: "An Act to levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of, two cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the county for division, or distribution, between such county and the municipalities located therein; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

**Yeas:**

Mr. Speaker	Brannan	Brown (Lamar)	Dawkins
Adams	Branyon	Burkhalter	deGraffenried
Albea	Brassell	Callahan	Dement
Ashworth	Brewer	Cox	Dickson
Bassett	Broadfoot	Crook	Edwards (Escambia)
Bradford	Brooks	Davis	Edwards (Jefferson)

Faulk	Holliman	McLendon	Pirkle
Ferrell	Hunt	McNider	Ramey
Franklin	Jenkins	Martin	Richardson
Gilchrist	Johnson (Elmore)	Mathews	Roberts
Gist	Johnson (Tallapoosa)	Mathison	Selman
Gregory	Kaul	Meeks	Shumate
Grouby	Kendall	Merrill	Simon
Hain	Killough	Molette	Solomon
Hall	Kirkham	Money	Speaks
Haltom	Lackey	Nettles	Steagall
Hanby	Law	Nice	Stembridge
Hardy	Lee (Lawrence)	Nolen	Summerlin
Hare	Locke (Perry)	Oakley	Taylor
Harrison	Love	Oden	Vacca
Harvey	McClendon	Payne	Windle
Hawkins	McKay	Perry	Wood
Hodges			

—89

And the bill:

H. 936. To further amend Section 793 of Title 37 of the 1940 Code of Alabama, as heretofore amended by Act No. 857 of the Regular Session of the Legislature of Alabama of 1953 (General Acts of Alabama of 1953, p. 1147), approved September 19, 1953.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

**Yeas:**

Mr. Speaker	DeSear	Johnson (Elmore)	Nice
Adams	Dickson	Johnson (Tallapoosa)	Nolen
Albea	Edwards (Escambia)	Kaul	Oakley
Ashworth	Edwards (Jefferson)	Kendall	Oden
Bassett	Faulk	Killough	Payne
Boyd	Ferrell	Kirkham	Perry
Bradford	Franklin	Lackey	Pirkle
Brannan	Gilchrist	Law	Ramey
Branyon	Gist	Lee (Lawrence)	Richardson
Brassell	Gregory	Locke (Perry)	Roberts
Brewer	Grouby	McClendon	Selman
Brooks	Hain	McKay	Shumate
Brown (Lamar)	Hall	McLendon	Simon
Burkhalter	Hanby	McNider	Solomon
Callahan	Hardy	Martin	Speaks
Cornett	Hare	Mathews	Steagall
Cox	Harrison	Mathison	Stembridge
Crook	Harvey	Meeks	Summerlin
Davis	Hodges	Merrill	Taylor
Dawkins	Holliman	Molette	Vacca
deGraffenried	Hunt	Money	Windle
Dement	Jenkins	Nettles	Wood

—88

#### MOTION ADOPTED

The motion of Mr. Callahan to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 890 and H. 889, was adopted.

And the bill:

H. 890. To provide for the election of an additional member of the board of control of the Teachers' Retirement System.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Oden
Adams	Edwards (Escambia)	Kendall	Payne
Albea	Edwards (Jefferson)	Killough	Perry
Ashworth	Faulk	Kirkham	Pirkle
Bassett	Ferrell	Lackey	Pruitt
Boyd	Franklin	Law	Ramey
Bradford	Gilchrist	Lee (Barbour)	Richardson
Brannan	Gist	Lee (Lawrence)	Roberts
Branyon	Gregory	Locke (Perry)	Selman
Brassell	Grouby	Love	Shumate
Broadfoot	Hain	McClendon	Simon
Brooks	Hall	McKay	Solomon
Brown (Lamar)	Haltom	McLendon	Speaks
Brown (Lee)	Hanby	McNider	Steagall
Burkhalter	Hardy	Martin	Stembridge
Callahan	Harrison	Mathews	Stokes
Cornett	Harvey	Meeks	Summerlin
Cox	Hawkins	Merrill	Taylor
Crook	Hodges	Molette	Thomas
Davis	Holliman	Money	Tyson
Dawkins	Huddleston	Nettles	Vacca
deGraffenried	Hunt	Nice	Windle
Dement	Jenkins	Nolen	Wood
DeSear	Johnson (Elmore)		

—94

And the bill:

H. 889 (with amendment). To amend Act No. 63, H. 49, approved June 3, 1953 (Acts of the 1953 Regular Session, Vol. I, p. 94), which provides old age assistance to certain teachers.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

**WAYS AND MEANS COMMITTEE AMENDMENT TO H. B. 889**

Amend H. B. 889 by striking Section 2 thereof and substituting the following: "Section 2. This Act shall become effective conditional upon the ratification of the Constitutional Amendment proposed by H. B. 683 introduced in the 1955 Regular Session of the Legislature of Alabama."

And the amendment was adopted.

Yeas 90; Nays 0.

**Yeas:**

Mr. Speaker	Bassett	Branyon	Brown (Lamar)
Adams	Boyd	Brassell	Brown (Lee)
Albea	Bradford	Broadfoot	Burkhalter
Ashworth	Brannan	Brooks	Callahan

Cornett	Hardy	McClendon	Pruitt
Cox	Harrison	McKay	Ramey
Crook	Harvey	McLendon	Richardson
Davis	Hawkins	McNider	Selman
Dawkins	Hodges	Martin	Shumate
deGraffenried	Holliman	Mathews	Simon
Dement	Huddleston	Meeks	Solomon
Dickson	Hunt	Merrill	Speaks
Edwards (Escambia)	Jenkins	Molette	Steagall
Edwards (Jefferson)	Johnson (Elmore)	Money	Stembridge
Faulk	Johnson (Tallapoosa)	Nettles	Stokes
Ferrell	Kendall	Nice	Summerlin
Franklin	Killough	Nolen	Taylor
Gist	Kirkham	Oakley	Thomas
Gregory	Lackey	Oden	Tyson
Grouby	Law	Payne	Vacca
Hain	Lee (Barbour)	Perry	Windle
Hall	Lee (Lawrence)	Pirkle	Wood
Haltom	Love		

—90

And said bill, H. 889, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

#### Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Payne
Adams	Edwards (Escambia)	Kendall	Perry
Albea	Edwards (Jefferson)	Killough	Pirkle
Ashworth	Faulk	Kirkham	Pruitt
Bassett	Ferrell	Lackey	Ramey
Boyd	Franklin	Law	Richardson
Bradford	Gilchrist	Lee (Barbour)	Roberts
Brannan	Gist	Lee (Lawrence)	Selman
Branyon	Gregory	Locke (Perry)	Shumate
Brassell	Grouby	Love	Simon
Broadfoot	Hain	McClendon	Solomon
Brooks	Hall	McKay	Speaks
Brown (Lamar)	Haltom	McLendon	Steagall
Brown (Lee)	Hardy	McNider	Stembridge
Burkhalter	Harrison	Mathews	Stokes
Callahan	Harvey	Meeks	Summerlin
Cornett	Hawkins	Merrill	Taylor
Cox	Hodges	Money	Thomas
Crook	Holliman	Nettles	Tyson
Davis	Huddleston	Nice	Vacca
Dawkins	Hunt	Nolen	Windle
deGraffenried	Jenkins	Oakley	Wood
Dement	Johnson (Elmore)	Oden	

—91

#### MOTION ADOPTED

The motion of Mr. Brassell to suspend the rules in order to take up for immediate consideration the third reading of the bills, S. 105 and S. 104, was adopted.

And the bill:

S. 105. To amend section 1 of an act entitled "An Act to provide additional supernumerary judges for the state, prescribing their duties

and powers, fixing their compensation and tenure of office, and making an appropriation to pay their salaries", approved July 31, 1947, being now codified as Code 1940, Title 13, section 105(1).

Was read a third time at length and passed.

Yeas 55; Nays 18.

**Yeas:**

Mr. Speaker	Dawkins	Johnson (Tallapoosa)	Pruitt
Adams	deGraffenried	Kendall	Ramey
Albea	Dement	Lee (Barbour)	Selman
Ashworth	Edwards (Escambia)	McClendon	Shumate
Bassett	Edwards (Jefferson)	McKay	Simon
Bradford	Ferrell	McNider	Speaks
Brannan	Gilchrist	Mathews	Steagall
Branyon	Hain	Meeks	Stembridge
Brassell	Hall	Merrill	Stokes
Broadfoot	Haltom	Molette	Thomas
Brown (Lee)	Harrison	Nice	Tyson
Burkhalter	Hawkins	Payne	Vacca
Cornett	Hodges	Perry	Wood
Davis	Hunt	Pirkle	

—55

**Nays:**

Messrs.	Gregory	Kirkham	Oakley
Boyd	Holliman	Law	Richardson
Brown (Lamar)	Johnson (Elmore)	Love	Summerlin
DeSear	Kaul	Money	Taylor
Gist	Killough	Nettles	

—18

And the bill:

S. 104. To amend section 31 of Title 13 of the 1940 Code of Alabama (relating to supernumerary justices of the supreme court).

Was read a third time at length and passed.

Yeas 62; Nays 17.

**Yeas:**

Mr. Speaker	deGraffenried	Kendall	Pruitt
Adams	Dement	Lackey	Ramey
Albea	Edwards (Escambia)	Lee (Barbour)	Roberts
Ashworth	Edwards (Jefferson)	McClendon	Selman
Bassett	Ferrell	McKay	Shumate
Bradford	Franklin	McLendon	Simon
Brannan	Gilchrist	McNider	Solomon
Branyon	Gist	Mathews	Speaks
Brassell	Hain	Merrill	Steagall
Broadfoot	Hall	Molette	Stembridge
Brown (Lee)	Haltom	Nice	Stokes
Burkhalter	Harrison	Nolen	Thomas
Callahan	Hodges	Payne	Tyson
Cornett	Huddleston	Perry	Vacca
Davis	Hunt	Pirkle	Wood
Dawkins	Johnson (Tallapoosa)		

—62

**Nays:**

Messrs.	Brown (Lamar)	Gregory	Johnson (Elmore)
Boyd	DeSear	Holliman	Kaul



Kirkham	Lee (Lawrence)	Nettles	Richardson
Kirkham	Love	Oakley	Taylor
Law	Money		

—17

## MOTION ADOPTED

The motion of Mr. Brannan to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 334, was adopted.

And the bill:

H. 334. To make an appropriation of Nine Thousand Five Hundred Dollars (\$9,500.00) from monies in the State Treasury not otherwise appropriated to be used for control and eradication of the White Fringed Beetle.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

## Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Oakley
Adams	Edwards (Jefferson)	Kendall	Payne
Albea	Faulk	Killough	Pirkle
Ashworth	Ferrell	Kirkham	Pruitt
Bassett	Franklin	Lackey	Ramey
Boyd	Gilchrist	Law	Richardson
Bradford	Gregory	Lee (Barbour)	Selman
Brannan	Grouby	Lee (Lawrence)	Simon
Branyon	Hain	Locke (Perry)	Solomon
Brassell	Hall	McClendon	Speaks
Broadfoot	Haltom	McKay	Steagall
Brown (Lamar)	Hanby	McLendon	Stembridge
Brown (Lee)	Hardy	McNider	Stokes
Burkhalter	Harrison	Mathison	Summerlin
Cox	Harvey	Meeks	Taylor
Crook	Hawkins	Mollette	Thomas
Dawkins	Hodges	Money	Tyson
deGraffenried	Holliman	Nettles	Vacca
Dement	Hunt	Nice	Windle
DeSear	Jenkins	Nolen	Wood

—80

## MOTION ADOPTED

The motion of Mr. Brannan to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 480, was adopted.

And the bill:

H. 480. Proposing an amendment of the Constitution of 1901 authorizing the levying of special taxes for public hospital purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

## Yeas:

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Branyon	Gist	Law	Perry
Brassell	Gregory	Lee (Barbour)	Pirkle
Brewer	Grouby	Lee (Lawrence)	Pruitt
Broadfoot	Hain	Locke (Perry)	Ramey
Brown (Lamar)	Hall	Love	Richardson
Brown (Lee)	Haltom	McClendon	Roberts
Burkhalter	Hanby	McKay	Selman
Callahan	Hardy	McLendon	Shumate
Cornett	Harrison	McNider	Simon
Crook	Harvey	Martin	Solomon
Davis	Hawkins	Mathews	Speaks
deGraffenried	Hodges	Mathison	Steagall
Dement	Holliman	Meeks	Stembridge
DeSear	Hunt	Molette	Stokes
Dickson	Jenkins	Money	Summerlin
Edwards (Escambia)	Johnson (Elmore)	Nettles	Taylor
Edwards (Jefferson)	Johnson (Tallapoosa)	Nice	Thomas
Faulk	Kendall	Nolen	Vacca
Ferrell	Killough	Oakley	Windle
Franklin	Kirkham	Oden	Wood
Gilchrist	Lackey	Payne	

—91

## MOTION ADOPTED

The motion of Mr. Harrison to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 676, was adopted.

## And the bill:

H. 676. To amend Sections 34 and 100 of Title 11, which relate to the fees and allowances of sheriffs.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

## Yeas 89; Nays 2.

## Yeas:

Mr. Speaker	deGraffenried	Hodges	Merrill
Adams	Dement	Holliman	Molette
Ashworth	DeSear	Hunt	Money
Bassett	Dickson	Jenkins	Nettles
Boyd	Edwards (Escambia)	Johnson (Elmore)	Nolen
Bradford	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Brannan	Faulk	Kaul	Oden
Branyon	Ferrell	Killough	Perry
Brassell	Franklin	Kirkham	Pirkle
Brewer	Gilchrist	Lackey	Pruitt
Broadfoot	Gist	Law	Ramey
Brooks	Gregory	Lee (Barbour)	Richardson
Brown (Lamar)	Grouby	Lee (Lawrence)	Roberts
Brown (Lee)	Hain	Locke (Perry)	Selman
Burkhalter	Hall	Love	Simon
Callahan	Haltom	McClendon	Solomon
Cornett	Hanby	McLendon	Steagall
Cox	Hardy	McNider	Stembridge
Crook	Hare	Martin	Stokes
Davis	Harrison	Mathews	Summerlin
Dawkins	Harvey	Mathison	Thomas

Tyson	Ward	Windle	Wood
Vacca			

—89

Nays: Messrs. McKay and Speaks.

—2

## MOTION ADOPTED

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 83, was adopted.

## And the bill:

S. 83. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

Was read a third time at length and passed.

Yeas 97; Nays 0.

## Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Oakley
Adams	Edwards (Escambia)	Kaul	Oden
Albea	Edwards (Jefferson)	Kelly	Payne
Ashworth	Faulk	Kendall	Perry
Bassett	Ferrell	Killough	Pruitt
Boyd	Franklin	Kirkham	Ramey
Bradford	Gilchrist	Lackey	Richardson
Brannan	Gist	Law	Roberts
Branyon	Gregory	Lee (Barbour)	Selman
Brassell	Grouby	Lee (Lawrence)	Shumate
Brewer	Hain	Locke (Perry)	Simon
Broadfoot	Hall	Love	Solomon
Brooks	Haltom	McClendon	Speaks
Brown (Lamar)	Hanby	McKay	Steagall
Brown (Lee)	Hardy	McLendon	Stembridge
Burkhalter	Hare	McNider	Stokes
Callahan	Harrison	Martin	Summerlin
Cornett	Harvey	Mathews	Taylor
Cox	Hawkins	Mathison	Thomas
Crook	Hodges	Meeks	Tyson
Davis	Holliman	Merrill	Vacca
Dawkins	Hunt	Molette	Ward
deGraffenried	Jenkins	Nettles	Windle
Dement	Johnson (Elmore)	Nolen	Wood
DeSear			

—97

## MOTION ADOPTED

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 728, was adopted.

## And the bill:

H. 728 (with amendment). To authorize the issuance of not exceeding \$100,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes, for the purpose of financing the construction, improvement and equipment of school and college buildings, and acquiring sites therefore; to specify the effect of such pledge; to create a sinking fund for payment

of said bonds; to exempt said bonds and the interest thereon from taxation; and to make provision for the terms, specifications, execution, sale and issuance of said bonds and disposition of the proceeds thereof.

**Was taken up.**

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

### AMENDMENT TO HOUSE BILL 728

Strike out Section 8 and insert in lieu thereof the following:

"All expenses incurred by the Commission in connection with the sale and issuance of each series of the bonds shall be paid by the Commission out of the proceeds from the sale of the bonds of that series. The proceeds from each such sale remaining after payment of such expenses shall be covered into the State Treasury, and set apart therein in a special trust fund to be designated the "School Bond Fund". All monies paid into said fund shall be distributed on warrants drawn by the Commission as follows: Eighty-three and twenty-five hundredths per centum (83.25%) thereof shall be allocated to county and city boards of education, or like governing bodies, on a teacher-unit basis under regulations of the State Board of Education, and shall be spent in accordance with regulations of said boards and laws governing the acquirement and construction of school building facilities, in such manner as the city or county boards of education may deem appropriate, provided that plans and specifications for any building construction shall be approved by the State Chief School Architect of the Department of Education; four per centum (4%) thereof shall be allocated and paid to the Board of Trustees of the University of Alabama; four per centum (4%) thereof shall be allocated and paid to the Alabama Polytechnic Institute; four-tenths of one per centum (0.4%) thereof shall be allocated and paid to Alabama College; four and six-tenths per centum (4.6%) thereof shall be expended by the State Board of Education on the state institutions of higher learning under said Board including Alabama Agricultural and Mechanical College; Alabama State College, and the State Teachers' Colleges; and three and seventy-five hundredths per centum (3.75%) thereof shall be expended by the State Board of Education on trade schools. All of said proceeds so distributed, allocated, or expended by the Boards of Trustees of the colleges and trade schools herein designated shall be in accordance with the purposes for which the bonds are authorized, and in accordance with the statutes and regulations of such boards, provided plans and specifications for any building construction shall be approved by the Alabama Building Commission, or any agency designated by the Legislature as its successor.

And the amendment was adopted.

Yeas 93; Nays 0.

#### Yeas:

Mr. Speaker	Brassell	Cox	Edwards (Escambia)
Albea	Brewer	Crook	Edwards (Jefferson)
Ashworth	Broadfoot	Davis	Faulk
Bassett	Brown (Lamar)	Dawkins	Ferrell
Boyd	Brown (Lee)	deGraffenried	Franklin
Bradford	Burkhalter	Dement	Gilchrist
Brannan	Callahan	DeSear	Gist
Branyon	Cornett	Dickson	Gregory

Grouby	Kelly	Mathews	Roberts
Hain	Kendall	Mathison	Selman
Hall	Killough	Meeks	Shumate
Haltom	Kirkham	Merrill	Simon
Hanby	Lackey	Molette	Solomon
Hardy	Law	Money	Speaks
Hare	Lee (Barbour)	Nettles	Steagall
Harrison	Lee (Lawrence)	Nice	Stembridge
Harvey	Locke (Perry)	Nolen	Summerlin
Hawkins	Love	Oakley	Taylor
Hodges	McClendon	Oden	Tyson
Holliman	McKay	Payne	Vacca
Huddleston	McLendon	Perry	Ward
Hunt	McNider	Pirkle	Windle
Jenkins	Martin	Richardson	Wood
Johnson (Elmore)			

—93

And said bill, H. 728, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

#### Yeas:

Mr. Speaker	Edwards (Escambia)	Kaul	Nolen
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Faulk	Kendall	Payne
Bassett	Ferrell	Killough	Perry
Boyd	Franklin	Kirkham	Pirkle
Bradford	Gilchrist	Lackey	Pruitt
Brannan	Gist	Law	Ramey
Branyon	Gregory	Lee (Barbour)	Richardson
Brassell	Grouby	Lee (Lawrence)	Roberts
Brewer	Hain	Locke (Perry)	Selman
Broadfoot	Hall	Love	Shumate
Brooks	Haltom	McClendon	Simon
Brown (Lamar)	Hanby	McKay	Solomon
Brown (Lee)	Hardy	McLendon	Speaks
Burkhalter	Hare	McNider	Steagall
Callahan	Harrison	Martin	Stembridge
Cornett	Harvey	Mathews	Summerlin
Cox	Hawkins	Mathison	Taylor
Crook	Hodges	Meeks	Thomas
Davis	Holliman	Merrill	Tyson
Dawkins	Huddleston	Molette	Vacca
deGraffenried	Hunt	Money	Ward
Dement	Jenkins	Nettles	Wood
DeSear	Johnson (Elmore)	Nice	

—95

#### MOTION ADOPTED

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 586, was adopted.

And the bill:

H. 586. To appropriate out of any monies in the State Treasury not otherwise appropriated, the sum of \$885,000.00 for each of the fiscal years ending September 30, 1956 and September 30, 1957, to the

Armory Commission of Alabama to be used for the erection, construction and equipping of armories for the Alabama National Guard and for the Air National Guard in the State and for the repair and equipping of existing armories for the Alabama National Guard and for the Air National Guard in the State.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Kendall	Oden
Albea	Edwards (Escambia)	Killough	Payne
Ashworth	Edwards (Jefferson)	Kirkham	Perry
Bassett	Ferrell	Lackey	Pirkle
Boyd	Franklin	Law	Pruitt
Bradford	Gist	Lee (Barbour)	Ramey
Brannan	Gregory	Lee (Lawrence)	Richardson
Branyon	Grouby	Locke (Perry)	Roberts
Brassell	Hain	Love	Selman
Brewer	Hall	McClendon	Shumate
Broadfoot	Haltom	McKay	Simon
Brooks	Hanby	McLendon	Solomon
Brown (Lamar)	Hardy	McNider	Speaks
Brown (Lee)	Hare	Martin	Steagall
Burkhalter	Harrison	Mathews	Stembridge
Callahan	Harvey	Mathison	Summerlin
Cornett	Hawkins	Merrill	Taylor
Cox	Hodges	Molette	Thomas
Crook	Holliman	Money	Tyson
Davis	Huddleston	Nettles	Vacca
Dawkins	Hunt	Nice	Ward
deGraffenried	Jenkins	Nolen	Windle
Dement	Johnson (Elmore)	Oakley	Wood
DeSear	Kelly		

—94

**MOTION ADOPTED**

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 216, was adopted.

**And the bill:**

H. 216. To make an appropriation for the support of the Council of State Governments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Branyon	Burkhalter	Dement
Albea	Brassell	Callahan	Dickson
Ashworth	Brewer	Cornett	Edwards (Escambia)
Bassett	Broadfoot	Crook	Edwards (Jefferson)
Boyd	Brooks	Davis	Faulk
Bradford	Brown (Lamar)	Dawkins	Ferrell
Brannan	Brown (Lee)	deGraffenried	Franklin

Gilchrist	Hunt	Martin	Roberts
<del>Christ</del>	Jenkins	Mathews	Selman
Gregory	Johnson (Elmore)	Mathison	Shumate
Grouby	Kelly	Merrill	Simon
Hain	Kendall	Money	Solomon
Hall	Killough	Nettles	Speaks
Haltom	Kirkham	Nice	Steagall
Hanby	Lackey	Nolen	Stembridge
Hardy	Law	Oakley	Summerlin
Hare	Lee (Barbour)	Oden	Taylor
Harrison	Lee (Lawrence)	Payne	Thomas
Harvey	Love	Perry	Tyson
Hawkins	McClendon	Pirkle	Vacca
Hodges	McKay	Pruitt	Ward
Holliman	McLendon	Ramey	Windle
Huddleston	McNider	Richardson	Wood

—92

## MOTION ADOPTED

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 812, was adopted.

And the bill:

H. 812. To amend Code of Alabama, Title 51, Section 606.

Was taken up.

Mr. Hawkins offered the following amendment to the bill, H. 812:

Amend House Bill 812 by adding at the end thereof and after the word "annum" the following sentence:

Provided further that the provisions of this Act shall not apply to any coupon, ticket, certificate, card or other similar device issued or distributed by a manufacturer or packer which is redeemable for any goods, wares or merchandise by the manufacturer or packer, or its agents or independent contractor acting for redemption.

And the amendment was adopted.

Yeas 75; Nays 1.

## Yeas:

Mr. Speaker	Dement	Hodges	Money
Ashworth	Dickson	Hunt	Nettles
Bassett	Edwards (Escambia)	Johnson (Elmore)	Nolen
Boyd	Edwards (Jefferson)	Kelly	Oakley
Bradford	Ferrell	Kendall	Oden
Brannan	Franklin	Kirkham	Payne
Branyon	Gilchrist	Lackey	Pirkle
Brassell	Goodwyn	Law	Pruitt
Broadfoot	Gregory	Lee (Lawrence)	Ramey
Brooks	Grouby	McClendon	Richardson
Brown (Lamar)	Hall	McKay	Selman
Brown (Lee)	Haltom	McLendon	Shumate
Callahan	Hanby	McNider	Simon
Cornett	Hardy	Martin	Solomon
Crook	Hare	Mathews	Speaks
Davis	Harrison	Mathison	Steagall
deGraffenried	Hawkins	Molette	Stembridge

Stokes	Tyson	Ward	Wood	
Summerlin	Vacca	Windle		
<b>Nays: Mr. Gist.</b>				<b>—75</b>
				<b>—1</b>

And said bill, H. 812, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

**Yeas 75; Nays 3.**

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Kelly	Oden
Bassett	Ferrell	Kendall	Payne
Boyd	Franklin	Kirkham	Perry
Bradford	Gilchrist	Lackey	Pirkle
Brannan	Gregory	Law	Ramey
Branyon	Grouby	Lee (Lawrence)	Selman
Brassell	Hall	Locke (Perry)	Shumate
Broadfoot	Haltom	McClendon	Simon
Brooks	Hanby	McKay	Solomon
Brown (Lamar)	Hardy	McLendon	Speaks
Brown (Lee)	Hare	McNider	Steagall
Cornett	Harrison	Martin	Stembridge
Crook	Harvey	Mathews	Stokes
Davis	Hawkins	Mathison	Summerlin
Dawkins	Hodges	Meeks	Vacca
Dement	Holliman	Molette	Ward
DeSear	Hunt	Money	Windle
Dickson	Jenkins	Nettles	Wood
Edwards (Escambia)	Johnson (Elmore)	Nolen	

**—75**

**Nays:** Messrs. deGraffenried, Gist and Goodwyn.

**—3**

**MOTION ADOPTED**

The motion of Mr. Hawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 504, was adopted.

**And the bill:**

H. 504. To amend Title 51, Section 122, as amended, of the Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

**Yeas 65; Nays 0.**

**Yeas:**

<b>Messrs.</b>	<b>Broadfoot</b>	<b>Edwards (Escambia)</b>	<b>Haltom</b>
Ashworth	Brown (Lamar)	Edwards (Jefferson)	Hanby
Bassett	Callahan	Ferrell	Hare
Boyd	Cornett	Franklin	Harrison
Bradford	Crook	Gilchrist	Hawkins
Brannan	Davis	Gist	Kendall
Branyon	Dawkins	Gregory	Lackey
Brassell	deGraffenried	Grouby	Law
Brewer	Dement	Hall	Lee (Lawrence)



McClendon	Money	Selman	Summerlin
McKay	Nolen	Shumate	Taylor
McLendon	Oden	Simon	Tyson
McNider	Payne	Solomon	Vacca
Martin	Perry	Speaks	Ward
Mathews	Ramey	Steagall	Windle
Mathison	Richardson	Stokes	Wood
Merrill	Roberts		

—65

## MOTION ADOPTED

The motion of Mr. Hawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 857, was adopted.

And the bill:

H. 857. To amend further Section 425 of Title 51, Code of Alabama (1940), as amended, which relates to the excise tax on financial institutions, so as to allow financial institutions to carry back their net operating losses to apply as a deduction against prior income, and to deduct from succeeding years' income the excess loss, if any, not absorbed thereby.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

## Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Adams	Ferrell	Kaul	Payne
Ashworth	Franklin	Kelly	Perry
Bassett	Gilchrist	Kendall	Pirkle
Boyd	Gist	Kirkham	Pruitt
Bradford	Goodwyn	Lackey	Ramey
Brannan	Gregory	Law	Richardson
Branyon	Grouby	Lee (Lawrence)	Roberts
Brassell	Hain	Locke (Perry)	Selman
Brewer	Hall	McClendon	Shumate
Broadfoot	Haltom	McKay	Simon
Brooks	Hanby	McNider	Solomon
Brown (Lamar)	Hardy	Martin	Speaks
Brown (Lee)	Hare	Mathews	Steagall
Burkhalter	Harrison	Mathison	Stembridge
Callahan	Harvey	Meeks	Stokes
Cornett	Hawkins	Merrill	Summerlin
Crook	Hodges	Molette	Taylor
Davis	Holliman	Money	Vacca
deGraffenried	Hunt	Nettles	Ward
Dement	Jenkins	Nolen	Windle
Dickson	Johnson (Elmore)	Oakley	Wood
Edwards (Escambia)			

—89

## MOTION ADOPTED

The motion of Mr. Selman to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 22, was adopted.

And the bill:

S. 22. To repeal Section 555 of Title 51, Code of Alabama (1940), which levies a privilege tax on the operation of a coal mine.

Was read a third time at length and passed.

Yeas 72; Nays 15.

**Yeas:**

Messrs.	Edwards (Jefferson)	Holliman	Oakley
Albea	Faulk	Huddleston	Oden
Ashworth	Ferrell	Hunt	Payne
Boyd	Franklin	Johnson (Elmore)	Perry
Bradford	Gilchrist	Kendall	Pirkle
Brannan	Gist	Kirkham	Pruitt
Branyon	Goodwyn	Lackey	Ramey
Brassell	Grouby	Law	Roberts
Brewer	Hain	Lee (Lawrence)	Selman
Broadfoot	Hall	McClendon	Shumate
Brown (Lamar)	Haltom	McNider	Simon
Brown (Lee)	Hanby	Martin	Solomon
Callahan	Hardy	Mathews	Speaks
Cox	Hare	Mathison	Steagall
Davis	Harrison	Merrill	Stokes
Dawkins	Harvey	Money	Tyson
deGraffenried	Hawkins	Nettles	Vacca
Dement	Hodges	Nolen	Wood
Edwards (Escambia)			

—72

**Nays:**

Messrs.	DeSear	Love	Stembridge
Bassett	Dickson	McKay	Summerlin
Brooks	Gregory	McLendon	Taylor
Cornett	Killough	Richardson	Windle

—15

The motion of Mr. Oakley to reconsider the vote by which the bill, S. 22, was passed, was adopted.

On motion of Mr. Summerlin, further consideration of the bill, S. 22, was postponed until the thirty-second legislative day.

**CONSIDERATION OF H. 206 POSTPONED**

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 206, was adopted.

Mr. Pruitt moved that consideration of the bill, H. 206, be postponed until the next legislative day.

The motion of Mr. Dawkins to lay on the table the motion of Mr. Pruitt to postpone consideration of the bill, H. 206, until the next legislative day was lost.

Yeas 34; Nays 58.

**Yeas:**

Mr. Speaker	Brown (Lamar)	deGraffenried	Hall
Albea	Burkhalter	Dement	Hare
Branyon	Cox	Edwards (Escambia)	Hawkins
Brassell	Davis	Ferrell	Johnson (Elmore)
Broadfoot	Dawkins	Gregory	Law

Martin	Oden	Simon	Stembridge
Mathews	Ramey	Speaks	Ward
Mathison	Selman	Steagall	Wood
Merrill	Shumate		

—34

**Nays:**

Messrs.	Franklin	Killough	Nolen
Ashworth	Gilchrist	Kirkham	Oakley
Bassett	Gist	Lackey	Payne
Boyd	Grouby	Lee (Barbour)	Perry
Bradford	Haltom	Lee (Lawrence)	Pirkle
Brewer	Hanby	Locke (Perry)	Pruitt
Brooks	Hardy	Love	Richardson
Brown (Lee)	Harrison	McClendon	Roberts
Callahan	Harvey	McKay	Solomon
Cornett	Hodges	McLendon	Stokes
Crook	Holliman	McNider	Summerlin
DeSear	Hunt	Meeks	Taylor
Dickson	Jenkins	Money	Thomas
Edwards (Jefferson)	Kaul	Nettles	Windle
Faulk	Kendall	Nice	

—58

And the motion of Mr. Pruitt to postpone consideration of the bill, H. 206, until the next legislative day, was adopted.

Yeas 56; Nays 35.

**Yeas:**

Messrs.	Gilchrist	Killough	Nolen
Ashworth	Gist	Kirkham	Oakley
Bassett	Grouby	Lackey	Payne
Boyd	Haltom	Lee (Barbour)	Perry
Bradford	Hanby	Lee (Lawrence)	Pirkle
Brewer	Hardy	Locke (Perry)	Pruitt
Brooks	Harrison	Love	Richardson
Callahan	Harvey	McClendon	Roberts
Cornett	Hodges	McKay	Solomon
Crook	Holliman	McLendon	Stokes
DeSear	Hunt	McNider	Summerlin
Dickson	Jenkins	Money	Taylor
Edwards (Jefferson)	Kaul	Nettles	Thomas
Faulk	Kendall	Nice	Windle
Franklin			

—56

**Nays:**

Mr. Speaker	Dawkins	Johnson (Elmore)	Selman
Albea	deGraffenried	Law	Shumate
Branyon	Dement	Martin	Simon
Brassell	Edwards (Escambia)	Mathews	Speaks
Broadfoot	Ferrell	Mathison	Steagall
Brown (Lamar)	Gregory	Meeks	Stembridge
Burkhalter	Hall	Merrill	Ward
Cox	Hare	Oden	Wood
Davis	Hawkins	Ramey	

—35

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 98. To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters in this State.

And finds same correctly enrolled.

**RANKIN FITE,**  
Chairman.

## SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Van Antwerp:

S. B. 291. To create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court.

**J. E. SPEIGHT,**  
Secretary.

## SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 291. Local Legislation No. 1.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Robison:

S. 344. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 200,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allow-

ance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

Also:

By Mr. Boutwell:

S. 341. To fix the supplemental salary of the Solicitor of the Tenth Judicial Circuit of Alabama, to provide that said supplemental salary shall be paid out of the general funds of Jefferson County, Alabama, and to provide when said act shall go into effect and to repeal all laws in conflict herewith.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the undersigned Bill will be introduced in the Legislature of Alabama at present session 1955.

**A BILL  
TO BE ENTITLED  
AN ACT**

To fix the supplemental salary of the Solicitor of the Tenth Judicial Circuit of Alabama, to provide that said supplemental salary shall be paid out of the general funds of Jefferson County, Alabama, and to provide when said act shall go into effect and to repeal all laws in conflict herewith.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The Circuit Solicitor of the Tenth Judicial Circuit of Alabama shall in addition to the salary now being paid by the State be paid a supplemental salary of Five Thousand (\$5,000.00) Dollars per year by Jefferson County, Alabama, from the general funds of said county, payable as the salaries of county officers are paid.

Section 2. This act shall go into effect commencing with the next term of the Circuit Solicitor of the Tenth Judicial Circuit of Alabama.

Section 3. All laws or parts of laws, wherein the Solicitor of the Tenth Judicial Circuit of Alabama is drawing additional salary from Jefferson County, Alabama, are hereby repealed when this act goes into effect.

May 7-14-21-28, 1955.

**AFFIDAVIT OF PUBLICATION**

**STATE OF ALABAMA  
JEFFERSON COUNTY**

Personally appeared before me, a notary public, in and for the said State and County, A. H. Cather, who, after being duly cautioned and sworn, deposeth and says as follows: That he is the Editor and Manager of The Southern Labor Review, a weekly newspaper, published in the State of Alabama, County of Jefferson, City of Birmingham, which said newspaper is one of general circulation in the county in which it is

published, which newspaper has been mailed under the second class mailing privileges for 52 consecutive weeks prior to the publication of the advertisement, and that a legal notice was published for Four (4) consecutive weeks in the above named paper; and that the said legal notice was published on the dates of (May, 7-14-21-28-1955.) copy of which advertisement is hereto attached.

(Signed) A. H. CATHER.  
Editor and Manager.  
J. C. SHEEHAN,  
Notary Public.

This the 30th day of May, 1955.

Also:

By Mr. Robison:

S. 343. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICES

Notice is hereby given that a Bill substantially as follows will be introduced at the 1955 regular session of the legislature of Alabama and application for its passage and enactment will be made:

#### A BILL TO BE ENTITLED AN ACT

To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Montgomery, in the County of Montgomery, and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery and included in the following boundaries:

Beginning at the southeast corner of the northwest quarter of Sec. 3, T16N, R1SE, Montgomery County Ala. thence north along the east line of said northwest quarter of Sec. 3 to the north line of the south half of the northwest quarter of Sec. 3, thence west along the north line of the south half of the northwest quarter of Sec. 3, to the west line of Sec. 3, thence north along the west line of Sec. 3 to the northeast corner of Sec. 4, T16N, R1SE, thence west along the north line of said Sec. 4, to the northwest corner of the northeast quarter of Sec. 4, thence south along the west line of said northeast quarter of Sec. 4, to the southwest corner of said northeast quarter of Sec. 4, thence east along the south line of the northeast quarter of Sec. 4 and the south line of the northwest quarter of Sec. 3 T16N, R1SE, to the point of beginning.

Section 2. That all laws or parts of law in conflict hereby repealed.

Section 3. This act shall take effect on October 1, 1955.

Montgomery Examiner  
July 12, 19, 26 and Aug. 2, 1955

**THE STATE OF ALABAMA  
COUNTY OF MONTGOMERY**

Before me, Lucille Raffels, A Notary Public, in and for said County and State personally appeared and states Charles G. Dobbins, Publisher for "The Montgomery Examiner", publishers of The Montgomery Examiner, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached is a true copy of a "Legal Notice" of the City of Montgomery, Alabama, which appeared in the regular editions of the said newspaper published in said City and County of Montgomery, on the following dates: July 12, 19, 26 and August 2, 1955.

CHARLES DOBBINS.

Sworn to and subscribed before me this the 2nd day of August, 1955.

LUCILLE RAFFELS,  
Notary Public.

Also:

By Mr. Newton:

S. 346. Relating to Walker County: To disqualify solicitors in certain cases, making it unlawful for a solicitor to act when he is disqualified, and prescribing the punishment therefor.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA  
COUNTY OF WALKER**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to Walker County: To disqualify solicitors in certain cases, making it unlawful for a solicitor to act when he is disqualified, and prescribing the punishment therefor.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Neither the circuit, county, or deputy solicitor of Walker County or the 14th Judicial Circuit shall act for the State or County in any case or proceeding now pending or hereafter instituted in any court in the county in which he is pecuniarily interested, or in which he is related to the defendant or the defendant's attorney or the law partner of defendant's attorney within the fifth degree of consanguinity or affinity. In case of his disqualification as herein prescribed, he shall notify the court of such interest or relationship, and the court shall appoint a competent attorney to act in his place, in the manner provided in Section 235 of Title 13, Code of Alabama (1940). It shall be unlawful for any circuit, county, or deputy solicitor to act in any case in which he is disqualified as prescribed in this Act, and upon conviction of violating this Act, he shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

### AFFIDAVIT

#### STATE OF ALABAMA, COUNTY OF WALKER.

Before me, the undersigned authority in and for said State and County, this day personally appeared W. I. Dove, Pub., of the Walker County Times, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the A Bill To Be Entitled An Act, who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Walker County Times for 4 consecutive weeks, namely; July 14, 21, 28 and Aug. 4, 1955.

WALKER COUNTY TIMES  
By W. I. DOVE,  
Publisher.

Sworn to and subscribed before me, this 8 day of August, 1955.

MRS. ANNIE DAVIS,  
Notary Public.

Also:

By Mr. Newton:

S. 347. Relating to Walker County: To disqualify judges in certain cases.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

### A BILL TO BE ENTITLED AN ACT

Relating to Walker County: To disqualify judges in certain cases.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. No judge of any court, county commissioner, or justice, shall sit in any cause or proceeding now pending or hereafter instituted in Walker County in which such Judge, Commissioner, or Justice is interested, or in which he is related to either party, or to his or their attorney, or the law partner of such attorney, within the fifth degree of consanguinity or affinity, whether such attorney be employed upon a contingency or otherwise and with or without lien, or in which he is financially indebted to either party or an attorney of either party, whether such attorney be employed upon a contingency or otherwise and with or without a lien, or in which he has been of counsel, or in which is called in question the validity of any judgement or judicial proceeding in which he was of counsel, or the validity or construction of



any instrument or paper prepared or signed by him as counsel or attorney, ~~without the consent of the parties entered of record, or put in writing, if the court is not of record, and said disqualification shall not be deemed to have been waived in any proceeding now pending or hereafter instituted without said written consent being entered of record.~~

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### AFFIDAVIT

STATE OF ALABAMA,  
COUNTY OF WALKER.

Before me, the undersigned authority in and for said State and County, this day personally appeared W. I. Dove, Pub., of the Walker County Times, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Bill To Be Entitled "An Act", who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Walker County Times for 4 consecutive weeks, namely; July 14, 21, 28 & Aug. 4, 1955.

WALKER COUNTY TIMES,  
By W. I. DOVE,  
Publisher.

Sworn to and subscribed before me, this 8 day of August, 1955.

MRS. ANNIE DAVIS,  
Notary Public.

Also:

By Mr. Allen:

S. 352. Applicable to Winston County; making provisions respecting the use of that portion of the State Gasoline Excise Tax levied under Section 647 of Title 51 of the Code of Alabama of 1940 that may be apportioned to Winston County under Section 657 of said Title 51.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given that is intended to apply for the enactment by the Legislature of Alabama of a local bill applicable to Winston County, Alabama, reading substantially as follows:

#### A BILL TO BE ENTITLED AN ACT

Applicable to Winston County; making provisions respecting the use of that portion of the State Gasoline Excise Tax levied under Section 647 of Title 51 of the Code of Alabama of 1940 that may be apportioned to Winston County under Section 657 of said Title 51.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That portion of the State Gasoline Excise Tax levied by Section 647 of Title 51 of the Code of Alabama of 1940, as amended, that may be apportioned for distribution to Winston County pursuant to the provisions of Section 657 of said Title 51, as amended (being one-third of the total portion of said tax apportioned for distribution to said county by Sections 655 and 657 of said Title 51, as amended), shall be paid into the State Treasury to the credit of the State Highway Department for the account of said county, and shall be applied by the State Highway Department, upon the order of the governing body of said county, for the following purposes only: (a) payment of said county's share of the cost of constructing roads in said county pursuant to the provisions of any contract between the State Highway Department, acting through the Bureau of County Aid, and said county heretofore or hereafter entered into pursuant to the provisions of the Farm to Market Road Act of 1943 (being Act No. 329 adopted at the 1943 Regular Session of the Legislature of Alabama), as heretofore and hereafter amended; and (b) for payment of the principal of and interest on any securities that may at any time be issued by said county, pursuant to the provisions of general law, to procure funds for payment of said county's share of the construction costs under any such contract between the State Highway Department, acting, through the Bureau of County Aid, and said county.

Section 2. This act shall be construed so as not to impair the obligation of said county with respect to any securities of said county, issued by it prior to the adoption of this act and in accordance with the provisions of general law, that may be payable from or secured to any extent by that portion of the said State Gasoline Excise Tax to be distributed to said county under the provisions of said Section 657 of Title 51 of the Code of Alabama of 1940, as amended; provided, however, that, in making orders or other provisions for payment of the principal of and interest on any securities issued by said county prior to the adoption of this act and payable from or secured by that portion of said tax that may be distributed to said county under the provisions of Sections 655 and 657 of Title 51 of the Code of Alabama of 1940, as amended, said county shall first exhaust that portion of said tax that may be distributed to it pursuant to the provisions of said Section 655 before applying, or ordering to be applied, for such purpose any of the proceeds of said tax that may be apportioned to it under the provisions of said Section 657.

Section 3. This act shall become effective on the first day of the month succeeding the month during which it shall be signed by the Governor or shall otherwise become law.

## PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,  
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 1st day of July, 1955, and the last copy of said publication appearing in the said paper on the 19th day of July, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 8th day of August, 1955.

R. J. THORNTON,  
Notary Public.

Also:

By Mr. Allen:

S. 353. To impose in Winston County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naptha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agents for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax; to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### NOTICE

Notice is hereby given that it is intended to apply for the enactment by the Legislature of Alabama of a local bill applicable to Winston County, Alabama, reading substantially as follows:

#### A BILL TO BE ENTITLED AN ACT

To impose in Winston County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naptha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by dis-

tributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agent for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax; to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Definitions. Whenever used in this act, the terms defined in this section shall have the respective meaning set forth herein. "Gasoline" means gasoline, naphtha, and other liquid motor fuels, or any device or substitute therefor, commonly used in internal combustion engines; provided, however, that nothing in this act shall be held to apply to those products known commonly as "kerosene oil", "fuel oil", or "crude oil" when used for lighting, heating or industrial purposes. "The county" means Winston County, Alabama, "State Department of Revenue" means the Department of Revenue of the State of Alabama. "Person" means every person, corporation, co-partnership, company, county, municipal corporation, school board, agency of the state, other agency, or association, incorporated or otherwise, singular or plural. "Distributor" means any person who shall engage in the selling of gasoline in the county by wholesale domestic trade, but shall not apply to any transaction by such person in interstate commerce. "Retail dealer" means (a) any person herein defined as a distributor who is also engaged in the sale of gasoline products at any place in the county in broken quantities, and (b) any person who is engaged in the sale of gasoline at any place in the county in broken quantities. "Refiner" means any person who manufactures, distills, blends, compounds or mixes any one or more products in the county in the production of gasoline. "Storer" means any person who ships or causes to be shipped or receives gasoline into the county and who stores the same in any quantities and withdraws or uses the same for any purpose. "Uses" means any person who uses or consumes gasoline in the county in any manner or for any purpose; provided, however, that the word "user" shall not include any refiner who has a refinery or refineries located in the county, and who uses gasoline in the manufacturing or refining process, or any person who holds a federal permit to blend motor fuels under the federal law and statutes, and who pays the federal excise tax on such motor fuels directly to the federal government, when such person uses gasoline in this state in such blending process. "The tax" means the excise tax herein provided for.

Section 2. Levy of the Tax. Every distributor, refiner, retail dealer, ~~storer, or user of gasoline in the county~~ shall collect and pay over to the State Department of Revenue, for the use of the county, an excise tax of one cent per gallon upon the selling, using, or consuming, distributing, storing, or withdrawing from storage in the county, for any use, of gasoline; provided, that the sale of gasoline in interstate commerce and the sale of gasoline to the United States or direct to the State of Alabama shall not be subject to the tax; provided further, that when the tax shall have been paid by a distributor, refiner, retail dealer, storer, or user with respect to the selling, using or consuming, distributing, storing, or withdrawing from storage of any gasoline, such payment shall be sufficient and no additional tax shall be collected and paid with respect to such gasoline, it being the intention of this act that the tax shall be paid only once. Every distributor, refiner, retail dealer, or storer of gasoline shall add the amount of the tax to the price of gasoline, it being the purpose and intent of this provision that the tax shall be a levy upon the consumer with the distributor, refiner, retail dealer or storer, or licensed user acting merely as agent for the collection of the tax. The tax shall be collected by persons storing gasoline or distributing the same or allowing the same to be withdrawn from storage, whether such withdrawals be for sale or other use; provided, that sellers of gasoline paying the tax shall pay the same computed on the basis of their sales and use of gasoline as herein required; refiners, storers and distributors shall compute and pay the tax on the basis of their withdrawals from storage or distributions of gasoline; and users shall compute and pay the tax on the basis of the amount of gasoline used or consumed in the county.

Section 3. This tax cumulative to all other taxes. The tax shall be in addition to any and all excise or other taxes imposed by the State of Alabama or any agency or subdivision thereof with respect to gasoline or with respect to the privilege of selling, using or consuming, distributing, storing or withdrawing from storage of gasoline.

Section 4. Withdrawals for Resale or Use Outside the County. Every distributor, refiner, storer, or retail dealer shall be exempted from collection and payment of the tax with respect to withdrawals from storage which are for the purpose of sale to a reseller located outside the county or for the purpose of reshipment to a point outside the county for delivery to and use by a consumer residing outside the county; provided, however, that to obtain such exemption any distributor, storer or retail dealer entitled to such exemption shall furnish to the State Department of Revenue a sworn written statement on the 20th day of each month showing a full, true and accurate total of all sales and shipments made during the preceding calendar month to resellers or consumers located outside said county.

Section 5. United States Certificates of Exemption. The State Department of Revenue is hereby authorized to adopt or approve forms of certificates of exemption for use by the United States in purchasing within the county gasoline that is paid for by the United States. Any person in reporting and paying the tax to the State Department of Revenue may deduct the number of gallons of gasoline sold to the United States as shown by any such certificate of exemption duly executed by the United States and filed with such report; and the State Department of Revenue is authorized to adopt rules and regulations with respect to the issuance and use of such certificates.

Section 6. Monthly Reports and Payments. On or before the 20th day of each month following the month during which the tax shall become effective, every distributor, refiner, retail dealer, storer, or user shall render to the governing body on forms prescribed by the

State Department of Revenue a true and correct statement of all sales, use, distributions, and withdrawals from storage of gasoline made during the then next preceding month, shall furnish to the State Department of Revenue such other reasonable information as the State Department of Revenue may require upon blanks to be formulated and furnished by the State Department of Revenue, and at the time of making such statement shall pay over to the State Department of Revenue an amount of money equal to the tax. The statement herein required to be made by the distributor, refiner, storer, retail dealer, or user shall be sworn to before some officer authorized to administer oaths, and any false statements so sworn to shall constitute perjury, and upon conviction thereof the person so convicted shall be punished as provided by law.

**Section 7. Maintenance of Records.** All distributors, refiners, storers, and retail dealers shall keep for not less than three years within the State of Alabama at some certain place or office such books, documents or papers as will clearly show the amount of sales, distributions or withdrawals from storage of gasoline made in the county and covered by this act.

**Section 8. Report of Address of Distributor, Storer, or Retail Dealer.** Within thirty days after the effective date of this act, every distributor, refiner, storer, or retail dealer engaged in the sale, distribution, storage or withdrawal from storage of gasoline in the county shall make a report to the State Department of Revenue on blanks furnished by the State Department of Revenue, showing the place and post office address within the county at which such person is engaged in distributing, selling, storing or withdrawing from storage gasoline. No person shall thereafter become a distributor, refiner, storer, or retail dealer of gasoline in the county until he shall have made such a report to the governing body. ~~If any distributor, refiner, storer, or retail dealer shall,~~ subsequent to making such report, move his place of business from one business address to another, such distributor, refiner, storer, or retail dealer shall within thirty days thereafter notify the State Department of Revenue of such removal, giving the former place and post office address and also the place and post office address to which his place of business has been removed. The information contained in all reports and notices made pursuant to the provisions of this section shall be recorded by the State Department of Revenue in a book kept for that purpose.

**Section 9. Penalty for Failure to Make Reports and Keep Records.** If any distributor, refiner, storer, retail dealer, or user of gasoline in the county shall fail to make any report or statement required by this act or shall fail to comply with any regulation adopted by the State Department of Revenue with respect to the collection of the tax within the time required for making any such report or statement or complying with any such regulation, or shall fail to pay the tax within the time fixed for the payment thereof, such distributor, refiner, storer, retail dealer, or user shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$50.00 or more than \$3000.00 for each offense.

**Section 10. Enforcement of this Act.** It shall be the duty of the State Department of Revenue to enforce the provisions of this act, and the State Department of Revenue shall have the right itself or by its agents to examine the books, records, and accounts of every distributor, refiner, storer, retail dealer, or user; shall have the power to make any and all rules and regulations necessary and proper for the collection of the tax; and shall have all powers and remedies for collection of the tax that are conferred by law upon the State Department of Revenue with respect to collection of the State Gasoline Excise Tax.

Section 11. Failure to Make Monthly Statements and Payments. ~~If any distributor, refiner, storer, retail dealer, or user shall fail to pay~~ over the tax to the State Department of Revenue, the amount of the tax required by this act to be paid over by such distributor, refiner, storer, retail dealer, or user, shall be deemed delinquent within the meaning of this act, and there shall be added to the amount thereof a penalty of 25 per-cent; provided, that if in the opinion of the State Department of Revenue a good and sufficient cause or reason is shown for such delinquency, the penalty may be remitted. If any distributor, refiner, storer, retail dealer, or user shall fail to make any monthly statement required herein, at the time and in the manner herein provided, or shall make a statement which is in anywise inaccurate, the State Department of Revenue is hereby authorized and empowered to make a return for such distributor, storer, retail dealer, or user upon such information as the State Department of Revenue may reasonably obtain and shall then add to the delinquent tax the penalty prescribed by this section. If any person shall be delinquent in the payment of the tax, the State Department of Revenue shall issue execution for the collection thereof directed to any sheriff of the State of Alabama, who shall proceed to levy upon and sell the property of the person who is so delinquent in payment of the tax, all in the manner now provided by law for the collection, upon delinquency, of the State Gasoline Excise Tax. The tax and any penalty added thereto under the provisions of this section shall be held as a debt payable to the State Department of Revenue, for the use of the county, by the person required hereunder to pay over the tax, and the tax and any such penalty shall be a lien upon the property in said county and elsewhere in the State of Alabama of the person who is required hereunder to pay over the tax.

Section 12. Effect of Acceptance of Less Than the Amount Due. The acceptance of any amount paid for the tax shall not preclude the collection of the amount actually due. However, the amount actually paid shall constitute a credit against the amount actually due. In the event of payment of an amount in excess of the amount due the State Department of Revenue may credit such excess upon the amount of tax due for any subsequent monthly period, or such excess may be refunded pursuant to the provisions of Section 913 of Title 51 of the Code of Alabama of 1940, as amended; provided, however, that no refund shall be allowed by means of such credit unless made within three years from the date of payment of such excess.

Section 13. Limitation of Actions. All actions by the State Department of Revenue for the recovery of the tax, or any part thereof, shall be commenced within a period of three years from the date of the filing of the return with respect to the tax sought to be recovered.

Section 14. Restraint of Violators of This Act. Any distributor, refiner, storer, retail dealer, or user who shall violate any provision of this act or shall fail to comply with any rule or regulation promulgated hereunder may be restrained, and proper prosecution therefor instituted in the name of the State of Alabama by its Attorney General or by such other counsel as the State Department of Revenue shall direct, from distributing, selling, storing or withdrawing from storage any gasoline the distribution, sale, storage, or withdrawal from storage of which is subject to the provisions of this act, until such distributor, refiner, storer, retail dealer, or user shall have complied with the provisions of this act.

Section 15. Use of Proceeds of the Tax. The total cost of collecting the tax shall be deemed to be an amount which bears the same ratio to the total cost of collecting the State Gasoline Excise Tax and all other gasoline excise taxes (including the tax) collected by the State Depart-

ment of Revenue, that the total amount of collections from the tax bears to the total amount of the State Gasoline Excise Tax and all other gasoline excise taxes (including the tax) that are collected by the State Department of Revenue. An amount equal to the cost of collecting the tax shall be deducted monthly from the proceeds of the tax and allowed to the State Department of Revenue as compensation for the collection of the tax. The balance of the proceeds of the tax remaining each month shall be certified by the State Department of Revenue to the State Treasurer as belonging to the county, and on or before the tenth day of each month following the month in which collected the balance of such proceeds shall be paid by state warrant to the treasurer or depository of the county. All moneys received by the treasurer or depository of the county under the provisions of this act shall be deposited by such treasurer or depository in a separate fund or account to be designated "Winston County One Cent Gasoline Tax Fund." The moneys in said fund shall be used exclusively for the construction, reconstruction, maintenance, and repair of public highways and bridges in the county, including the payment of the principal of and the interest on any securities and other obligations that may be issued or incurred, in accordance with the provisions of general law, by the county for the purpose of financing any such construction or reconstruction or refunding any obligations issued for such construction or reconstruction.

Section 16. Severability. If any section, clause, provision or portion of this act shall be held by any court of competent jurisdiction to be invalid or unconstitutional, such holding shall not affect any other section, clause, or provision of this act which is not in and of itself unconstitutional.

Section 17. Effective Date. This act shall become effective at 12:01 A.M. on the month following its approval by the Governor or its otherwise becoming a law.

GTB-7-1-5-12-19

#### PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,  
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 1st day of July, 1955, and the last copy of said publication appearing in the said paper on the 19th day of July, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 8th day of August, 1955.

R. J. THORNTON,  
Notary Public.

Also:

By Mr. Allen:

S. 354. Authorizing Winston County to sublease to any municipality or public corporation in Winston County any space not needed by it in



any project at any time leased by it from a public corporation now or hereafter organized in Winston County under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

#### NOTICE

Notice is hereby given that it is intended to apply for the enactment by the Legislature of Alabama of a local bill applicable to Winston County, Alabama, reading substantially as follows:

#### A BILL TO BE ENTITLED AN ACT

Authorizing Winston County to sublease to any municipality or public corporation in Winston County any space not needed by it in any project at any time leased by it from a public corporation now or hereafter organized in Winston County under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of Winston County, Alabama, is hereby authorized and empowered to sublease to any municipality in Winston County or to any public corporation in Winston County any space not needed by it in a building or structure at any time leased by it from a public corporation now or hereafter organized in Winston County under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama.

Section 2. This act shall take effect upon its approval by the Governor or upon its otherwise becoming law.

SLB-7-1-5-12-19

#### PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,  
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 1st day of July, 1955, and the last copy of said publication appearing in the said paper on the 19th day of July, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 8th day of August, 1955.

R. J. THORNTON,  
Notary Public.

J. E. SPEIGHT,  
Secretary.

## SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 344. Local Legislation No. 1.
- S. 341. Local Legislation No. 2.
- S. 343. Local Legislation No. 1.
- S. 346. Judiciary.
- S. 347. Judiciary.
- S. 352. Local Legislation No. 1.
- S. 353. Local Legislation No. 1.
- S. 354. Local Legislation No. 1.

## MOTION ADOPTED

The motion of Mr. Kaul to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 179, was adopted.

And the bill:

H. 179. To enable the State of Alabama to enter into a compact with other states for the purpose of promoting effective prevention and control of forest fires in the Southeastern Region of the United States by the development of integrated forest fire plans; to provide for mutual aid between such compacting states in fighting forest fires; to provide for a forest fire control compact administrator for the State of Alabama; to provide and establish an Advisory Committee of legislators and forestry representatives; to provide for the duties and travel expense of said committee.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

## Yeas:

Mr. Speaker	Cox	Hain	Killough
Adams	Crook	Hall	Kirkham
Albea	Davis	Haltom	Lackey
Ashworth	Dawkins	Hanby	Lee (Barbour)
Bassett	deGraffenried	Hardy	Lee (Lawrence)
Boyd	Dement	Hare	Locke (Perry)
Bradford	DeSear	Harrison	Love
Brannan	Dickson	Harvey	McClendon
Branyon	Edwards (Escambia)	Hawkins	McKay
Brassell	Edwards (Jefferson)	Hodges	McLendon
Brewer	Faulk	Holliman	McNider
Broadfoot	Ferrell	Huddleston	Martin
Brooks	Franklin	Hunt	Mathews
Brown (Lamar)	Gilchrist	Jenkins	Mathison
Brown (Lee)	Gist	Johnson (Elmore)	Meeks
Burkhalter	Goodwyn	Johnson (Tallapoosa)	Money
Callahan	Gregory	Kaul	Nettles
Cornett	Grouby	Kendall	Nice

Nolen	Pruitt	Steagall	Thomas
Oakley	Richardson	Stembridge	Tyson
Oden	Selman	Stokes	Vacca
Perry	Solomon	Summerlin	Ward
Pirkle	Speaks	Taylor	Windle

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## MOTION ADOPTED

The motion of Mr. Branyon to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 193, was adopted.

## And the bill:

S. 193. To provide for the issuance of distinctive motor vehicle license plates or tags to members of the National Guard and Air National Guard of Alabama upon the payment of an additional sum of \$1.00 for use by such persons upon their personally-owned, private, passenger vehicles in lieu of the standard license plate or tag now required; and for the use of such distinctive plates by the State Military Department.

Was read a third time at length and passed.

Yeas 88; Nays 0.

## Yeas:

Mr. Speaker	Dement	Hunt	Nolen
Adams	Dickson	Jenkins	Oakley
Albea	Edwards (Escambia)	Johnson (Elmore)	Oden
Ashworth	Edwards (Jefferson)	Johnson (Tallapoosa)	Payne
Boyd	Faulk	Kaul	Pirkle
Bradford	Ferrell	Killough	Pruitt
Brannan	Franklin	Kirkham	Richardson
Branyon	Gilchrist	Lackey	Roberts
Brassell	Gist	Lee (Barbour)	Selman
Brewer	Goodwyn	Lee (Lawrence)	Shumate
Broadfoot	Gregory	Locke (Perry)	Solomon
Brooks	Grouby	Love	Speaks
Brown (Lamar)	Hain	McClendon	Steagall
Brown (Lee)	Hall	McKay	Stembridge
Burkhalter	Haltom	McLendon	Stokes
Callahan	Hanby	McNider	Taylor
Cornett	Hare	Martin	Thomas
Cox	Harrison	Mathews	Tyson
Crook	Hawkins	Meeks	Vacca
Davis	Hodges	Money	Ward
Dawkins	Holliman	Nettles	Windle
deGraffenried	Huddleston	Nice	Wood

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## MOTION LOST

The motion of Mr. Adams to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 494, was lost.

Yeas 47; Nays 28.

## Yeas:

Mr. Speaker	Brannan	Brassell	Brown (Lamar)
Adams	Branyon	Brewer	Callahan

Cornett	Hardy	Killough	Oakley
Crook	Hare	Lackey	Payne
deGraffenried	Harrison	McClendon	Perry
Edwards (Escambia)	Hawkins	McKay	Richardson
Ferrell	Hodges	McLendon	Roberts
Franklin	Hunt	Martin	Summerlin
Gist	Jenkins	Mathews	Tyson
Hain	Johnson (Elmore)	Money	Vacca
Haltom	Johnson (Tallapoosa)	Nettles	Wood
Hanby	Kendall	Nolen	

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**Nays:**

Messrs.	Burkhalter	Faulk	Pirkle
Albea	Cox	Gilchrist	Shumate
Ashworth	Davis	Harvey	Solomon
Bassett	Dement	Holliman	Steagall
Boyd	DeSear	Kirkham	Stokes
Bradford	Dickson	Locke (Perry)	Thomas
Broadfoot	Edwards (Jefferson)	McNider	Ward
Brooks			

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**MESSAGE FROM THE SENATE****Mr. Speaker:**

The Senate has passed the following House bills and returns same herewith to the House:

H. 832. Relating to the General, Road and Bridge, and Gasoline Funds of **Butler County**: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

Also:

H. 799. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

Also:

H. 585. Relating to Counties having a population of not less than 94,000 nor more than 134,000 inhabitants according to the last or any subsequent decennial census of the United States; regulating the business of operating certain cemeteries within such Counties.

Also:

H. 755. To extend the boundary line of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

H. 781. To provide for the election of a county superintendent of education of Lawrence County; to fix his term of office; to prescribe his salary and expenses, and the manner of payment; to define his qualifications, powers, and duties; and to provide for the election of his successors in office.

Also:

H. 808. Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

Also:

H. 811. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgages and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Also:

H. 813. To provide an assistant coroner for counties having a population of not less than 80,000 nor more than 94,000 inhabitants according to the last or any subsequent federal census.

Also:

H. 817. To provide that any territory which may be annexed to any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census shall continue to be subject to the county, town or city zone classifications as such territory was subject at the time of annexation, until such territory shall have been zoned by such city or until the expiration of one year after the date of such annexation, whichever shall first occur.

Also:

H. 818. To provide that the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census may by ordinance adopted by the favorable vote of a majority of the members of such body amend, supplement, change, modify or repeal any zone regulation, zone restriction or boundary of zone District of such city.

Also:

H. 819. To amend Section 2 of Act No. 634, approved September 4, 1951, Acts of Alabama of 1951, Regular Session, Page 1089, entitled "An Act to prescribe certain duties and functions of county planning commissions and boards of zoning adjustment and the governing bodies in all counties having a population of 400,000 or more according to the

1940 or any succeeding Federal Census and to further define the authority, powers and functions of such boards and to authorize the governing body of such counties to enforce its rules, resolutions, regulations and ordinances and to provide remedies for the enforcement of its rules, resolutions, regulations and ordinances made by the governing bodies and to appoint a County Building Commissioner and to prescribe his authority and duties of such counties and to provide penalties for the violation of such rules, resolutions, regulations and ordinances."

Also:

H. 823. To authorize the governing body of any County in the State of Alabama having a population of at least 125,000 people and not more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indigent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

Also:

H. 831. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Tuscaloosa County authorizing said county to become indebted, in addition to all other indebtedness, and to issue bonds in evidence thereof for the purpose of constructing and equipping a county courthouse and jail and acquiring land therefor.

Also:

H. 833. To authorize all cities or towns in the State of Alabama having a population of 6,500 and not more than 6,900 according to the last or any subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election

shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the manner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote in a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the Mayor-Council form of government; and to provide that all laws or parts of laws in conflict with this act are repealed.

J. E. SPEIGHT,  
Secretary.

### MOTION ADOPTED

The motion of Mr. Adams to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 638, was adopted.

And the bill:

H. 638. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

### Yeas:

Messrs.	Dickson	Johnson (Elmore)	Nolen
Adams	Edwards (Escambia)	Johnson (Tallahassee)	Oakley
Albee	Edwards (Jefferson)	Kaul	Oden
Ashworth	Faulk	Kelly	Payne
Bassett	Ferrell	Kendall	Perry
Boyd	Franklin	Killough	Pirkle
Bradford	Gilchrist	Kirkham	Pruitt
Brannan	Gist	Lackey	Roberts
Branyon	Grouby	Law	Selman
Brassell	Hain	Lee (Barbour)	Shumate
Brewer	Hall	Lee (Lawrence)	Simon
Broadfoot	Haltom	Love	Solomon
Brooks	Hanby	McClendon	Speaks
Brown (Lamar)	Hardy	McKay	Steagall
Brown (Lee)	Hare	McLendon	Stembridge
Burkhalter	Harrison	McNider	Summerlin
Callahan	Harvey	Martin	Taylor
Cornett	Hawkins	Mathews	Thomas
Cox	Hodges	Mathison	Tyson
Crook	Holliman	Meeks	Ward
Davis	Huddleston	Merrill	Windle
Dawkins	Hunt	Money	Wood
deGraffenried	Jenkins	Nettles	

## MOTION TO ADJOURN LOST

The motion of Mr. Gilchrist to adjourn until Friday, August 19, 1955, at ten o'clock A.M. was lost.

Yeas 27; Nays 57.

## Yeas:

Messrs.	Cornett	Johnson (Tallapoosa)	Mathison
Ashworth	Dement	Kelly	Oakley
Bassett	Edwards (Escambia)	Locke (Perry)	Selman
Bradford	Edwards (Jefferson)	Love	Shumate
Brewer	Faulk	McKay	Solomon
Broadfoot	Gilchrist	McNider	Stokes
Brooks	Hain	Mathews	Ward

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## Nays:

Messrs.	Gist	Kaul	Payne
Adams	Gregory	Kendall	Pirkle
Albea	Grouby	Killough	Pruitt
Boyd	Haltom	Kirkham	Roberts
Brannan	Hanby	Law	Simon
Branyon	Hare	Lee (Barbour)	Speaks
Brassell	Harrison	Lee (Lawrence)	Steagall
Brown (Lamar)	Harvey	McClendon	Stembridge
Burkhalter	Hawkins	McLendon	Summerlin
Callahan	Hodges	Martin	Taylor
Cox	Holliman	Meeks	Thomas
Crook	Huddleston	Merrill	Tyson
Davis	Hunt	Nolen	Windle
deGraffenried	Jenkins	Oden	Wood
Franklin	Johnson (Elmore)		

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## MOTION ADOPTED

The motion of Mr. Adams to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 639, was adopted.

## And the bill:

H. 639. To validate and declare legal acts and proceedings heretofore done or taken to incorporate gas districts under Act No. 762 of the General Acts of 1951 of Alabama, approved September 11, 1951, entitled "An Act to provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders



of the bonds; to provide that the property and income of such districts shall be tax exempt; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama", notwithstanding irregularities in such acts or proceedings.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

#### Yeas:

Messrs.	Edwards (Escambia)	Jenkins	Money
Adams	Edwards (Jefferson)	Johnson (Elmore)	Nettles
Albea	Ferrell	Johnson (Tallapoosa)	Nice
Ashworth	Franklin	Kaul	Nolen
Bassett	Gilchrist	Kelly	Oakley
Boyd	Gist	Kendall	Payne
Bradford	Gregory	Killough	Perry
Brannan	Grouby	Kirkham	Pirkle
Branyon	Hain	Lackey	Simon
Brassell	Hall	Law	Solomon
Brewer	Haltom	Lee (Barbour)	Speaks
Brown (Lamar)	Hanby	Lee (Lawrence)	Steagall
Brown (Lee)	Hardy	Love	Stembridge
Burkhalter	Hare	McClendon	Summerlin
Cornett	Harrison	McKay	Taylor
Crook	Harvey	McLendon	Thomas
Davis	Hawkins	Martin	Tyson
Dawkins	Hodges	Mathews	Vacca
deGraffenried	Holliman	Mathison	Ward
Dement	Huddleston	Meeks	Windle
Dickson	Hunt	Merrill	Wood

—83

#### MOTION LOST

The motion of Mr. Adams to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 643, was lost.

#### MOTION ADOPTED

The motion of Mr. Vacca to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 317, was adopted.

And the bill:

H. 317. To grant immunity from tort liability to municipal fire departments in acts performed beyond the corporate limits and police jurisdiction of cities and towns.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 22.

**Yeas:**

Messrs.	Edwards (Jefferson)	Huddleston	Merrill
Adams	Faulk	Jenkins	Money
Branyon	Franklin	Johnson (Elmore)	Nice
Brassell	Gregory	Johnson (Tallapoosa)	Payne
Brewer	Grouby	Kaul	Perry
Broadfoot	Hain	Kendall	Solomon
Brown (Lamar)	Hall	Lackey	Steagall
Brown (Lee)	Haltom	Lee (Barbour)	Thomas
Cornett	Hanby	Lee (Lawrence)	Tyson
Crook	Hardy	McKay	Vacca
Davis	Harrison	McLendon	Ward
deGraffenried	Hawkins	Martin	Windle
Dement	Hodges	Mathews	Wood
Edwards (Escambia)	Holliman	Mathison	

—54

**Nays:**

Messrs.	DeSear	Locke (Perry)	Richardson
Albea	Dickson	Love	Selman
Ashworth	Ferrell	McNider	Shumate
Bradford	Gist	Nettles	Speaks
Callahan	Hunt	Nolen	Stokes
Cox	Kirkham	Oakley	

—22

**MOTION LOST**

The motion of Mr. Adams to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 307, was lost.

Yeas 49; Nays 35.

**Yeas:**

Messrs.	Edwards (Escambia)	Jenkins	Martin
Adams	Edwards (Jefferson)	Johnson (Elmore)	Mathews
Albea	Franklin	Johnson (Tallapoosa)	Meeks
Bassett	Gregory	Kaul	Nettles
Brannan	Grouby	Kendall	Nice
Brassell	Hall	Kirkham	Nolen
Brewer	Haltom	Lackey	Perry
Broadfoot	Hanby	Law	Roberts
Brown (Lee)	Harrison	Lee (Lawrence)	Simon
Cornett	Hawkins	McClendon	Steagall
Crook	Hodges	McKay	Summerlin
Dawkins	Holliman	McLendon	Tyson
deGraffenried	Huddleston		

—49

**Nays:**

Messrs.	Brown (Lamar)	Faulk	Hunt
Ashworth	Cox	Ferrell	Killough
Bradford	Davis	Gist	Lee (Barbour)
Branyon	DeSear	Hain	Locke (Perry)
Brooks	Dickson	Harvey	McNider

Merrill	Pirkle	Shumate	Taylor
Money	<del>Pruitt</del>	<del>Solomon</del>	<del>Thomas</del>
Oakley	Richardson	Speaks	Windle
Payne	Selman	Stokes	Wood

—35

## MOTION TO ADJOURN LOST

The motion of Mr. Selman to adjourn until Friday, August 19, 1955, at ten o'clock A.M. was lost.

Yeas 43; Nays 52.

## Yeas:

Messrs.	DeSear	Kaul	Payne
Albea	Dickson	Killough	Perry
Ashworth	Edwards ( <i>Escambia</i> )	Lackey	Pruitt
Boyd	Edwards ( <i>Jefferson</i> )	Locke ( <i>Perry</i> )	Richardson
Bradford	Faulk	Love	Selman
Brewer	Ferrell	McKay	Shumate
Broadfoot	Gilchrist	McNider	Solomon
Brooks	Hain	Mathews	Stokes
Cornett	Hardy	Mathison	Taylor
Davis	Harvey	Oakley	Ward
Dement	Johnson ( <i>Tallahpoosa</i> )	Oden	Wood

—43

## Nays:

Messrs.	Gist	Jenkins	Nettles
Adams	Gregory	Johnson ( <i>Elmore</i> )	Nice
Bassett	Grouby	Kendall	Nolen
Brannan	Hall	Kirkham	Pirkle
Branyon	Haltom	Law	Roberts
Brassell	Hanby	Lee ( <i>Barbour</i> )	Simon
Brown ( <i>Lamar</i> )	Hare	Lee ( <i>Lawrence</i> )	Speaks
Brown ( <i>Lee</i> )	Harrison	McClendon	Steagall
Burkhalter	Hawkins	McLendon	Stembridge
Callahan	Hodges	Martin	Summerlin
Cox	Holliman	Meeks	Thomas
Crook	Huddleston	Merrill	Tyson
deGraffenried	Hunt	Money	Windle
Franklin			

—52

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 836. Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.

Also:

H. 853. Relating to Lawrence County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of Lawrence County to pay to the Sinclair Refining Company the sum of one hundred seventy-one dollars and thirty-five cents (\$171.35) out of the gasoline tax fund in the county treasury to compensate the

company for damages to two gasoline pumps which were struck and destroyed by a county truck then being used in county road work.

Also:

H. 856. For the relief of Harold E. Simmons of Madison County: Appropriating one hundred dollars (\$100) from the general fund in the county treasury of Madison County to be paid to Harold E. Simmons for property damage sustained when his automobile was struck by a county highway truck in 1953.

Also:

H. 859. To regulate drawing of warrants on the Treasury of Mobile County or on any fund of such County and the signing thereof, for the payment of all salaries, wages, materials, equipment or supplies which are now or which may become a charge against Mobile County or any fund thereof, except warrants or certificates drawn for the payment of jurors, witnesses and election officials; to provide that all such warrants shall be drawn and signed by the Chairman of the Board of Revenue and Road Commissioners and by no other officer of Mobile County and to repeal all laws in conflict herewith.

Also:

H. 864. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission, and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Also:

H. 865. To authorize any county of the State of Alabama having a population of 500,000 or more according to the last or any subsequent Federal Census to appropriate from time to time funds of said county to any public corporation heretofore or hereafter created under Act No. 215 of the Legislature of Alabama of 1947, approved on July 24, 1947, (General Acts of Alabama of 1947, page 81, et seq.), as said last named Act has been or may be hereafter amended.

Also:

H. 866. To provide that any territory which becomes a city or town or part of a city or town in any county having a population of 400,000 or more according to the last or any succeeding federal census, shall continue to be subject to the regulations and restrictions relative to the use and construction of buildings and structures and the use of land for trade, industry and residences as such territory shall have been subject to at the time it became such city or town or a part of such city or town until such city or town has zoned or regulated such territory in such regards; To provide that the provisions of this Act shall not apply to any territory annexed to any city having a population of 250,000 inhabitants or more according to the last or any succeeding federal census.

J. E. SPEIGHT,  
Secretary.

#### MOTION ADOPTED

The motion of Mr. Vacca to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 324, was adopted.

## MOTION TO ADJOURN LOST

The motion of Mr. Stokes to adjourn until Friday, August 19, 1955, at ten o'clock A.M. was lost.

Yeas 47; Nays 47.

## Yeas:

Messrs.	DeSear	Killough	Oakley
Ashworth	Dickson	Kirkham	Oden
Bassett	Edwards (Escambia)	Lee (Barbour)	Payne
Boyd	Faulk	Locke (Perry)	Perry
Bradford	Gilchrist	Love	Richardson
Broadfoot	Grouby	McClendon	Roberts
Brooks	Hain	McKay	Shumate
Brown (Lee)	Hardy	McNider	Simon
Burkhalter	Harvey	Martin	Solomon
Cornett	Holliman	Mathews	Stokes
Cox	Johnson (Tallapoosa)	Mathison	Taylor
Dement	Kaul	Nettles	Ward

—47

## Nays:

Mr. Speaker	Ferrell	Hunt	Nolen
Adams	Franklin	Jenkins	Pirkle
Albea	Gist	Johnson (Elmore)	Selman
Brannan	Gregory	Kendall	Speaks
Branyon	Hall	Lackey	Steagall
Brassell	Haltom	Law	Stembridge
Brown (Lamar)	Hanby	Lee (Lawrence)	Summerlin
Callahan	Hare	McLendon	Thomas
Crook	Harrison	Meeks	Tyson
Davis	Hawkins	Merrill	Windle
Dawkins	Hodges	Money	Wood
deGraffenried	Huddleston	Nice	

—47

And the bill:

H. 324. To amend Section 97 of Title 37 of the Code of 1940 relating to government of cities; recorder, election, salary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 5.

## Yeas:

Messrs.	deGraffenried	Hanby	Killough
Adams	Dement	Hardy	Kirkham
Albea	Dickson	Hare	Lackey
Bassett	Edwards (Escambia)	Harrison	Law
Boyd	Edwards (Jefferson)	Harvey	Lee (Barbour)
Bradford	Faulk	Hawkins	McClendon
Brannan	Ferrell	Hodges	McKay
Branyon	Franklin	Holliman	McLendon
Brassell	Gilchrist	Hunt	McNider
Brown (Lamar)	Gist	Jenkins	Martin
Callahan	Gregory	Johnson (Elmore)	Mathews
Cornett	Grouby	Johnson (Tallapoosa)	Mathison
Crook	Hain	Kaul	Meeks
Davis	Hall	Kendall	Merrill

Money	Pirkle	Simon	Summerlin
Nice	Pruitt	Solomon	Taylor
Nolen	Richardson	Speaks	Thomas
Oden	Roberts	Steagall	Tyson
Payne	Shumate	Stokes	Vacca
Perry			

—77

**Nays:**

Messrs.	Haltom	Oakley	Selman
Broadfoot	Lee (Lawrence)		

—5

**MOTION ADOPTED**

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 871, was adopted.

And the bill:

H. 871. To amend further Section 390 of Title 14, Code of Alabama (1940), which relates to the compensation of the State Toxicologist.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 2.

**Yeas:**

Mr. Speaker	DeSear	Hunt	Nice
Adams	Dickson	Jenkins	Nolen
Ashworth	Edwards (Escambia)	Johnson (Wilmore)	Oakley
Bassett	Edwards (Jefferson)	Kendall	Oden
Boyd	Ferrell	Killough	Payne
Bradford	Franklin	Kirkham	Perry
Brannan	Gilchrist	Lackey	Pirkle
Branyon	Gist	Lee (Barbour)	Pruitt
Brassell	Gregory	Lee (Lawrence)	Selman
Broadfoot	Grouby	Locke (Perry)	Shumate
Brown (Lamar)	Hain	McClendon	Simon
Brown (Lee)	Hall	McKay	Solomon
Callahan	Haltom	McLendon	Speaks
Cornett	Hardy	Martin	Stokes
Cox	Hare	Mathews	Summerlin
Crook	Harrison	Mathison	Taylor
Davis	Harvey	Meeks	Thomas
Dawkins	Hodges	Merrill	Tyson
deGraffenried	Holliman	Money	Windle
Dement	Huddleston	Nettles	

—79

**Nays:** Messrs. Burkhalter and Hanby.

—2

**MOTION ADOPTED**

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 433, was adopted.

And the bill:

H. 433. To amend Section 695 of Article 8 of Title 51 of the Code of Alabama of 1940.

~~Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.~~

Yeas 78; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Kaul	Nice
Adams	Edwards (Escambia)	Kendall	Nolen
Albea	Edwards (Jefferson)	Killough	Oakley
Ashworth	Faulk	Lackey	Oden
Boyd	Ferrell	Law	Payne
Bradford	Franklin	Lee (Barbour)	Perry
Brannan	Gist	Lee (Lawrence)	Pirkle
Branyon	Gregory	Locke (Perry)	Richardson
Brassell	Grouby	McClendon	Roberts
Broadfoot	Hall	McKay	Selman
Brown (Lamar)	Haltom	McLendon	Shumate
Burkhalter	Hare	McNider	Simon
Callahan	Harvey	Martin	Speaks
Cornett	Hodges	Mathews	Steagall
Crook	Holliman	Mathison	Stokes
Davis	Huddleston	Meeks	Summerlin
Dawkins	Hunt	Merrill	Thomas
deGraffenried	Jenkins	Money	Vacca
Dement	Johnson (Elmore)	Nettles	Windle
DeSear	Johnson (Tallapoosa)		

—78

**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 273. To further provide for the general revenue of Alabama; to define certain terms; to provide for the withholding of certain taxes; to provide for the making of certain rules and regulations by the Commissioner of Revenue; to provide for including certain wages and excluding certain wages for withholding tax purposes; to provide for withholding certificates; to provide for the payment of amounts withheld; to provide for the assessment of tax against employer under certain conditions; to provide for appeal by the employer; to provide for the issuance of execution by the department under certain conditions; to provide for the furnishing of a statement to the employee; to provide for the liability for the tax withheld; to provide for refunds to employers; to provide for the credit for the tax withheld; to provide for the refunding or crediting of amounts overpaid; to provide penalties for violations of this Act; to provide an optional short form for reporting the tax and to limit its application; to provide tables showing amount of income tax due under certain conditions; to provide for a declaration of estimated tax and the time for filing the declaration; to provide for the payment of the tax estimated in the declaration and when payment is due; to provide for certain deductions; to amend Section 409, Title 51, Code of Alabama 1940, as amended; to repeal conflicting laws; to provide for the severability of this Act; and to provide an effective date for this Act.

**J. E. SPEIGHT,**  
Secretary.

**SENATE MESSAGE**

On motion of Mr. Meeks the House concurred in and adopted the

Senate amendment to the bill, H. 273, said Senate amendment being as follows:

COMMITTEE AMENDMENT TO H. B. 273

Strike out "one dollar" appearing in subsection (3) of Section 10 and insert in lieu thereof the words, "five dollars."

COMMITTEE AMENDMENT TO H. B. 273

Amend H. B. 273, as amended, by striking out Section 16 of the bill and renumber the remaining sections of the bill in sequence.

AMENDMENT TO HOUSE BILL NO. 273

Amend Section 6, paragraph (1), line 6, of H. B. 273, as amended, by striking the word "on", next preceding the words "the day", and substituting therefor the words, "within thirty days from".

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Money
Adams	Edwards (Escambia)	Johnson (Tallahpoosa)	Nettles
Albea	Edwards (Jefferson)	Kaul	Nice
Ashworth	Faulk	Kelly	Nolen
Bassett	Ferrell	Kendall	Oakley
Boyd	Franklin	Killough	Oden
Bradford	Gilchrist	Kirkham	Payne
Brannan	Gist	Lackey	Perry
Branyon	Gregory	Law	Pirkle
Braswell	Grouby	Lee (Barbour)	Pruitt
Broadfoot	Hain	Lee (Lawrence)	Roberts
Brown (Lamar)	Hall	Love	Selman
Brown (Lee)	Halton	McClendon	Shumate
Burkhalter	Hanby	McKay	Simon
Callahan	Hardy	McLendon	Solomon
Cornett	Harrison	McNider	Speaks
Crook	Harvey	Martin	Stokes
Davis	Hawkins	Mathews	Summerlin
Dawkins	Hodges	Mathison	Thomas
deGraffenried	Holliman	Meeks	Tyson
Dement	Hunt	Merrill	Windle
DeSear	Jenkins		

—86

MOTION ADOPTED

The motion of Mr. Nolen to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 189 and H. 190, was adopted.

And the bill:

H. 189. To amend Section 191, Title 51, Code of Alabama (1940), relating to the compensation of tax collectors.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 2.

Yeas:

Mr. Speaker	Ashworth	Boyd	Brannan
Adams	Bassett	Bradford	Branyon



Brassell	Gilchrist	Kendall	Nice
<del>Broadfoot</del>	<del>Gist</del>	<del>Knough</del>	<del>Nolen</del>
Brown (Lamar)	Gregory	Kirkham	Oakley
Brown (Lee)	Grouby	Lackey	Oden
Burkhalter	Hain	Law	Payne
Callahan	Haltom	Lee (Barbour)	Perry
Cornett	Hardy	Lee (Lawrence)	Pirkle
Cox	Harrison	Locke (Perry)	Pruitt
Crook	Harvey	McClendon	Richardson
Dawkins	Hawkins	McKay	Roberts
deGraffenried	Hodges	McLendon	Selman
Dement	Holliman	McNider	Solomon
DeSear	Huddleston	Martin	Steagall
Dickson	Hunt	Mathews	Stembridge
Edwards (Escambia)	Jenkins	Mathison	Stokes
Edwards (Jefferson)	Johnson (Elmore)	Merrill	Summerlin
Faulk	Johnson (Tallapoosa)	Money	Thomas
Ferrell	Kelly	Nettles	Windle
Franklin			

—81

Nays: Messrs. Shumate and Speaks.

—2

And the bill:

H. 190. To amend Section 30, Title 51, Code of Alabama (1940), relating to the compensation of tax assessors.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nettles
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Ashworth	Edwards (Jefferson)	Kelly	Oakley
Bassett	Faulk	Kendall	Oden
Boyd	Ferrell	Killough	Payne
Bradford	Gilchrist	Kirkham	Perry
Brannan	Gist	Lackey	Pirkle
Branyon	Gregory	Law	Pruitt
Brassell	Grouby	Lee (Barbour)	<b>Roberts</b>
Broadfoot	Hain	Lee (Lawrence)	Selman
Brown (Lamar)	Hall	Locke (Perry)	Simon
Burkhalter	Haltom	McClendon	Solomon
Callahan	Hardy	McKay	Speaks
Cornett	Harrison	McLendon	Steagall
Cox	Harvey	McNider	Stokes
Crook	Hawkins	Martin	Summerlin
Davis	Hodges	Mathews	Taylor
Dawkins	Holliman	Mathison	Thomas
deGraffenried	Huddleston	Merrill	Tyson
Dement	Hunt	Money	Windle
DeSear	Jenkins		

—82

## MOTION ADOPTED

The motion of Mr. Hodges to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 732, was adopted.

And the bill:

H. 732. To require the Attorney General to digest, compile, and have printed all constitutional and general statutory provisions of this State relating to elections; to provide for the distribution of copies of such publication; and to provide funds to carry out the provisions of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 13.

**Yeas:**

Mr. Speaker	Ferrell	Johnson (Elmore)	Money
Adams	Franklin	Johnson (Tallapoosa)	Nettles
Albea	Gilchrist	Kelly	Nice
Ashworth	Gist	Kendall	Nolen
Bradford	Gregory	Killough	Oakley
Brannan	Grouby	Kirkham	Payne
Branyon	Haltom	Lackey	Perry
Brassell	Hanby	Law	Pirkle
Brown (Lee)	Hardy	Lee (Lawrence)	Pruitt
Callahan	Hare	Love	Richardson
Cornett	Harrison	McClendon	Roberts
Crook	Harvey	McKay	Selman
DeSear	Hawkins	McLendon	Speaks
Dickson	Hodges	McNider	Steagall
Edwards (Escambia)	Hunt	Meeks	Summerlin
Edwards (Jefferson)	Jenkins		

—62

**Nays:**

Messrs.	Dement	Locke (Perry)	Solomon
Davis	Hall	Merrill	Taylor
Dawkins	Holliman	Oden	Thomas
deGraffenried	Lee (Barbour)		

—13

**MOTION ADOPTED**

The motion of Mr. Stembridge to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 222, was adopted.

And the bill:

H. 222. Relating to the use tax; amending Section 788, Title 51, Code of Alabama, 1940, as amended, by providing for the imposition of an excise tax upon any tangible personal property already subjected to sales or use taxation by any other state or political subdivision thereof, in an amount less than that imposed by Alabama, at a rate measured by the difference between the previous rate and the rate of the Alabama use tax; and providing that no tax shall be due upon such articles of tangible personal property if the tax imposed in such other state or political subdivision is equivalent to or greater than the rate imposed in Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 5.

**Yeas:**

Mr. Speaker	Adams	Ashworth	Bassett
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Brannan	Ferrell	Kelly	Nettles
Branyon	Franklin	Kendall	Nice
Brassell	Gist	Killough	Oakley
Broadfoot	Gregory	Lackey	Payne
Brown (Lamar)	Grouby	Law	Pirkle
Brown (Lee)	Hain	Lee (Barbour)	Pruitt
Callahan	Haltom	Lee (Lawrence)	Selman
Cornett	Hanby	Love	Shumate
Crook	Hare	McKay	Simon
Davis	Harrison	McLendon	Solomon
Dawkins	Harvey	Martin	Speaks
deGraffenried	Hawkins	Mathews	Steagall
Dement	Hodges	Mathison	Stembridge
Dickson	Holliman	Meeks	Summerlin
Edwards (Escambia)	Johnson (Elmore)	Money	Thomas
Faulk			

—65

**Nays:**

Messrs.	Bradford	Perry	Windle
Boyd	Nolen		

—5

**MOTION ADOPTED**

The motion of Mr. Meeks to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 884, was adopted.

**And the bill:**

H. 884. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Jenkins	Merrill
Albea	Edwards (Jefferson)	Johnson (Elmore)	Money
Ashworth	Faulk	Kaul	Nettles
Bassett	Ferrell	Kelly	Nice
Boyd	Franklin	Kendall	Nolen
Bradford	Gilchrist	Killough	Oakley
Brannan	Gist	Kirkham	Oden
Branyon	Gregory	Lackey	Payne
Brassell	Grouby	Law	Perry
Broadfoot	Hain	Lee (Barbour)	Pirkle
Brown (Lamar)	Hall	Lee (Lawrence)	Pruitt
Brown (Lee)	Haltom	Locke (Perry)	Richardson
Callahan	Hanby	Love	Roberts
Cornett	Hardy	McClendon	Selman
Cox	Hare	McKay	Simon
Crook	Harrison	McLendon	Solomon
Davis	Harvey	McNider	Speaks
Dawkins	Hawkins	Martin	Steagall
deGraffenried	Hodges	Mathews	Taylor
Dement	Holliman	Mathison	Thomas
DeSear	Huddleston	Meeks	Windle
Dickson	Hunt		

—86

## MOTION ADOPTED

The motion of Mr. Davis to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 98, was adopted.

And the bill:

S. 98. To amend Sections 96, 97 and 100 of Title 45, Code of Alabama 1940.

Was read a third time at length and passed.

Yeas 73; Nays 0.

## Yeas:

Mr. Speaker	Dawkins	Jenkins	Nettles
Adams	deGraffenried	Johnson (Elmore)	Nolen
Albea	Dement	Kelly	Oakley
Ashworth	Dickson	Kendall	Payne
Bassett	Edwards (Escambia)	Kirkham	Pirkle
Boyd	Edwards (Jefferson)	Lackey	Pruitt
Bradford	Ferrell	Law	Richardson
Brannan	Franklin	Lee (Barbour)	Roberts
Branyon	Gist	Lee (Lawrence)	Selman
Brassell	Gregory	Love	Simon
Brown (Lamar)	Grouby	McClendon	Solomon
Brown (Lee)	Hall	McKay	Speaks
Burkhalter	Hare	McLendon	Steagall
Callahan	Harrison	McNider	Stembridge
Cornett	Harvey	Mathews	Summerlin
Cox	Hawkins	Mathison	Taylor
Crook	Holliman	Merrill	Thomas
Davis	Hunt	Money	Windle

—73

## MOTION ADOPTED

The motion of Mr. Haltom to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 581, was adopted.

And the bill:

H. 581. To regulate further the issuance and recording of certificates of judgments of courts of record.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 1.

## Yeas:

Mr. Speaker	Brassell	Davis	Gregory
Adams	Broadfoot	Dawkins	Grouby
Albea	Brown (Lamar)	deGraffenried	Hain
Ashworth	Brown (Lee)	Dement	Hall
Bassett	Burkhalter	Dickson	Haltom
Boyd	Callahan	Edwards (Escambia)	Hanby
Bradford	Cornett	Franklin	Hardy
Brannan	Cox	Gilchrist	Hare
Branyon	Crook	Gist	Harrison

Harvey	Law	Meeks	Roberts
<del>Houdkins</del>	<del>Lee (Barbour)</del>	<del>Merrill</del>	<del>Selman</del>
Holliman	Lee (Lawrence)	Nettles	Simon
Huddleston	Love	Nice	Speaks
Hunt	McClendon	Nolen	Steagall
Jenkins	McLendon	Oakley	Stembridge
Johnson (Elmore)	McNider	Oden	Summerlin
Kelly	Martin	Perry	Taylor
Kendall	Mathews	Pirkle	Thomas
Kirkham	Mathison	Pruitt	Windle
Lackey			

—77

Nays: Mr. McKay.

—1

## MOTION ADOPTED

The motion of Mr. Law to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 348, was adopted.

And the bill:

H. 348. To amend Section 39, Title 8 of the 1940 Code of Alabama, relating to non-resident state fishing licenses.

Was taken up.

Mr. Law offered the following amendment to the bill, H. 348:

## AMENDMENT TO H. B. 348

House Bill 348 is amended by inserting between the words "license" and "by" in the second line thereof the following words: "to fish in any of the waters of this State."

And the amendment was adopted.

Yeas 50; Nays 15.

Yeas:

Messrs.	Dawkins	Hodges	Martin
Adams	Dement	Holliman	Meeks
Bassett	Dickson	Huddleston	Nice
Boyd	Edwards (Escambia)	Hunt	Nolen
Bradford	Edwards (Jefferson)	Johnson (Elmore)	Payne
Brannan	Ferrell	Kelly	Perry
Brassell	Gregory	Kendall	Selman
Broadfoot	Grouby	Killough	Shumate
Brown (Lamar)	Hall	Lackey	Speaks
Burkhalter	Haltom	Law	Steagall
Cornett	Hanby	Love	Summerlin
Crook	Hare	McClendon	Taylor
Davis	Harrison	McNider	

—50

Nays:

Messrs.	deGraffenried	McKay	Solomon
Albea	Gilchrist	Mathews	Stembridge
Ashworth	Lee (Barbour)	Oakley	Thomas
Callahan	Lee (Lawrence)	Richardson	Windle

—15

## MOTION TO ADJOURN LOST

The motion of Mr. Faulk to adjourn until Friday, August 19, 1955, at ten o'clock A.M. was lost.

Yeas 41; Nays 41.

## Yeas:

Messrs.	Dickson	Kaul	Perry
Albea	Edwards (Jefferson)	Killough	Pirkle
Ashworth	Faulk	Kirkham	Richardson
Bassett	Ferrell	Lee (Barbour)	Roberts
Boyd	Franklin	McKay	Selman
Brown (Lee)	Gilchrist	Mathews	Shumate
Callahan	Hain	Mathison	Simon
Cornett	Hanby	Nettles	Solomon
Cox	Hardy	Oakley	Taylor
deGraffenried	Harvey	Payne	Thomas
DeSear	Jenkins		

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## Nays:

Messrs.	Dawkins	Hunt	Martin
Adams	Dement	Johnson (Elmore)	Meeks
Bradford	Edwards (Escambia)	Johnson (Tallapoosa)	Merrill
Brannan	Gist	Kelly	Nice
Branyon	Gregory	Kendall	Nolen
Brassell	Hall	Law	Speaks
Broadfoot	Haltom	Lee (Lawrence)	Steagall
Brown (Lamar)	Hare	Love	Summerlin
Burkhalter	Harrison	McClendon	Tyson
Crook	Hawkins	McNider	Windle
Davis	Holliman		

—41

## CONSIDERATION OF H. 348 RESUMED

The question was on the passage of the bill, H. 348.

And said bill, H. 348, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 16.

## Yeas:

Messrs.	Dawkins	Holliman	Mathison
Adams	Dement	Hunt	Meeks
Bassett	Dickson	Johnson (Elmore)	Nice
Boyd	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Bradford	Edwards (Jefferson)	Kaul	Payne
Brannan	Ferrell	Kelly	Perry
Branyon	Gregory	Killough	Pirkle
Brassell	Grouby	Kirkham	Selman
Broadfoot	Hall	Lackey	Shumate
Brown (Lamar)	Haltom	Law	Solomon
Burkhalter	Hanby	Love	Speaks
Cornett	Hare	McClendon	Steagall
Crook	Harrison	McNider	Summerlin
Davis	Hodges	Martin	Taylor

—55

**Nays:**

Messrs.	DeSear	Lee (Lawrence)	Richardson
Albea	Faulk	McKay	Roberts
Ashworth	Gilchrist	Mathews	Thomas
Callahan	Lee (Barbour)	Oakley	Windle
deGraffenried			

—16

**MOTION LOST**

The motion of Mr. Law to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 347, was lost.

Yeas 27; Nays 41.

**Yeas:**

Messrs.	Gregory	Hunt	Nolen
Brannan	Grouby	Johnson (Elmore)	Selman
Broadfoot	Haltom	Kelly	Shumate
Davis	Hanby	Killough	Speaks
Dement	Hare	Law	Summerlin
Edwards (Escambia)	Hodges	McClendon	Taylor
Ferrell	Huddleston	Nice	Tyson

—27

**Nays:**

Messrs.	Dickson	Lee (Lawrence)	Perry
Albea	Faulk	McKay	Pirkle
Bassett	Franklin	McNider	Richardson
Bradford	Gilchrist	Martin	Roberts
Brassell	Hain	Mathews	Simon
Brown (Lamar)	Hardy	Mathison	Solomon
Brown (Lee)	Harvey	Merrill	Steagall
Callahan	Holliman	Nettles	Stembridge
Cornett	Jenkins	Oakley	Thomas
deGraffenried	Kirkham	Payne	Windle
DeSear	Lee (Barbour)		

—41

**MOTION LOST**

The motion of Mr. Hare to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 666, was lost.

**MOTION LOST**

The motion of Mr. Speaks to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 35, was lost.

Yeas 42; Nays 34.

**Yeas:**

Messrs.	Brown (Lamar)	Gilchrist	Harrison
Adams	Callahan	Gist	Hawkins
Albea	Davis	Gregory	Hodges
Ashworth	deGraffenried	Grouby	Huddleston
Brannan	Dement	Haltom	Hunt
Branyon	DeSear	Hanby	Jenkins
Broadfoot	Dickson	Hare	Johnson (Tallapoosa)

Kendall  
Killough  
Lee (Lawrence)  
Martin

Meeks  
Money  
Nice  
Nolen

Oden  
Selman  
Shumate  
Simon

Speaks  
Steagall  
Tyson

—42

**Nays:**

Messrs.  
Bassett  
Boyd  
Bradford  
Burkhalter  
Cornett  
Cox  
Crook  
Edwards (Jefferson)

Faulk  
Franklin  
Hain  
Hardy  
Harvey  
Holliman  
Kirkham  
Lee (Barbour)  
McClendon

McKay  
McLendon  
McNider  
Mathews  
Mathison  
Merrill  
Nettles  
Oakley  
Payne

Perry  
Pirkle  
Richardson  
Solomon  
Summerlin  
Taylor  
Thomas  
Windle

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**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By the Rules Committee:

S. J. R. 67. **RESOLVED** By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, August 19th, at 10 A.M.

**J. E. SPEIGHT,**  
Secretary.

**SENATE MESSAGE**

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S. J. R. 67 set out in the above and foregoing Message from the Senate.

**MESSAGE FROM THE SENATE**

Mr. Speaker Pro Tem:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 104. To amend section 31 of Title 13 of the 1940 Code of Alabama (relating to supernumerary justices of the supreme court).

Also:

S. 105. To amend section 1 of an act entitled "An Act to provide additional supernumerary judges for the state, prescribing their duties and powers, fixing their compensation and tenure of office, and making an appropriation to pay their salaries", approved July 31, 1947, being now codified as Code 1940, Title 13, section 105(1).

**J. E. SPEIGHT,**  
Secretary.

**SIGNING OF SENATE BILLS**

The Speaker Pro Tem of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote



of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing message from the Senate.

### BILLS ON THIRD READING RESUMED

H. 452. To authorize and provide for the planning, designation, establishment, use, regulations, alteration, improvement, maintenance, and vacation of controlled-access facilities; defining such terms; providing for the acquisition of lands required therefor; the restriction of intersections and control of approaches; the establishment of local service roads; the prohibition of certain acts thereon and provision for penalties therefor; and for other purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

#### Yeas:

Mr. Speaker	deGraffenried	Huddleston	Nice
Adams	Dement	Hunt	Nolen
Albea	Dickson	Johnson (Tallapoosa)	Oden
Ashworth	Edwards (Escambia)	Kelly	Perry
Bassett	Ferrell	Kendall	Richardson
Bradford	Gilchrist	Killough	Selman
Brannan	Gist	Kirkham	Shumate
Branyon	Gregory	Lee (Lawrence)	Simon
Brassell	Grouby	Love	Speaks
Broadfoot	Haltom	McClendon	Steagall
Brown (Lamar)	Hanby	McNider	Stembridge
Brown (Lee)	Hare	Martin	Summerlin
Burkhalter	Harrison	Mathison	Tyson
Callahan	Hawkins	Meeks	Vacca
Davis	Hodges	Merrill	Windle
Dawkins	Holliman	Money	

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### MOTION LOST

The motion of Mr. Gilchrist to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 611 and H. 610, was lost.

Yeas 15; Nays 50.

#### Yeas:

Messrs.	Dement	Haltom	Meeks
Broadfoot	Faulk	Harrison	Nice
Brown (Lee)	Gilchrist	Hunt	Steagall
Callahan	Gist	Kendall	Tyson

—15

#### Nays:

Messrs.	Brown (Lamar)	Edwards (Jefferson)	Johnson (Elmore)
Albea	Burkhalter	Ferrell	Killough
Ashworth	Cornett	Franklin	Kirkham
Bassett	Davis	Grouby	Law
Boyd	Dawkins	Hain	Love
Bradford	deGraffenried	Hall	McClendon
Brannan	DeSear	Hardy	McKay
Branyon	Dickson	Holliman	McNider
Brassell	Edwards (Escambia)	Jenkins	Mathews

Mathison  
Merrill  
Nettles  
Nolen

Oakley  
Payne  
Perry  
Pirkle

Richardson  
Simon  
Stembridge  
Summerlin

Taylor  
Vacca  
Windle

—50

## CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:10 P.M. On August 16, 1955

H. 761

H. 561

H. 759

H. 755

H. 760

H. 244

H. 300

H. 464

H. 725

H. 763

H. 770

H. 776

H. 777

H. 795

H. 796

H. 798

H. 51

H. 122

H. 123

H. 214

H. 215

H. 217

H. 434

H. 435

Delivered to the Secretary of State at 12:20 P.M. On August 16,  
1955

H. 683

H. 745

H. 754

H. 473

H. 771

H. 782

H. 783

H. 785

Delievered to the Governor at 2:35 P.M. On August 16, 1955

H. 111

H. 120

H. 774

H. J. R. 64

H. 295

Delivered to the Governor at 4:20 P.M. On August 16, 1955

H. 98

R. T. GOODWYN, JR.,  
Clerk.

## ADJOURNMENT

On motion of Mr. Selman the House adjourned until Friday, August 19, 1955, at ten o'clock A.M.

Yeas 64; Nays 16.

## Yeas:

Messrs.	Dement	Jenkins	Money
Albea	DeSear	Johnson (Elmore)	Nettles
Ashworth	Dickson	Kelly	Nolen
Bassett	Edwards (Escambia)	Killough	Oakley
Boyd	Edwards (Jefferson)	Kirkham	Oden
Bradford	Faulk	Lackey	Payne
Brannan	Ferrell	Law	Perry
Branyon	Franklin	Lee (Barbour)	Pirkle
Brassell	Gilchrist	Love	Pruitt
Brown (Lamar)	Gist	McClendon	Richardson
Burkhalter	Grouby	McKay	Roberts
Callahan	Hardy	McNider	Selman
Cornett	Harrison	Mathews	Solomon
Crook	Harvey	Mathison	Stembridge
Davis	Hodges	Meeks	Taylor
Dawkins	Holliman	Merrill	Thomas
deGraffenried			

## Nays:

Messrs.	Haltom	Kendall	Speaks
Adams	Hanby	Lee (Lawrence)	Steagall
Broadfoot	Hare	Nice	Summerlin
Gregory	Hunt	Simon	Tyson
Hain			

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## THIRTY-SECOND DAY

House of Representatives  
Montgomery, Alabama  
Friday, August 19, 1955

The House met pursuant to adjournment.

## PRAYER

The session was opened with prayer by the Reverend James S. Tiller, Pastor, Eastside Terrace Methodist Church, Paterson, New Jersey.

## ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Escambia)	Kaul	Nolen
Adams	Edwards (Jefferson)	Kelly	Oakley
Albea	Faulk	Kendall	Oden
Ashworth	Ferrell	Killough	Payne
Bassett	Franklin	Kirkham	Perry
Boyd	Gilchrist	Lackey	Pirkle
Bradford	Gist	Law	Pruitt
Brannan	Goodwyn	Lee (Barbour)	Ramey
Branyon	Gregory	Lee (Lawrence)	Richardson
Brassell	Grouby	Locke (Choctaw)	Roberts
Brewer	Hain	Locke (Perry)	Selman
Broadfoot	Hall	Love	Shumate
Brooks	Haltom	McClendon	Simon
Brown (Lamar)	Hanby	McKay	Solomon
Brown (Lee)	Hardy	McLendon	Speaks
Burkhalter	Hare	McNider	Steagall
Callahan	Harrison	Martin	Stembridge
Cornett	Harvey	Mathews	Stokes
Cox	Hawkins	Mathison	Summerlin
Crook	Hodges	Meeks	Taylor
Davis	Holliman	Merrill	Thomas
Dawkins	Huddleston	Molette	Tyson
deGraffenried	Hunt	Money	Vacca
Dement	Jenkins	Nettles	Ward
DeSear	Johnson (Elmore)	Nice	

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A quorum was present.

## APPOINTMENT TO COMMITTEES

The Speaker appointed Mr. Hugh D. Merrill, Jr. as a member of the Standing Committees on Public Welfare and Agriculture.

## REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-first legislative day and finds the same to be correct.

RANKIN FITE,  
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the thirty-first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in

and adopted, and the Journal of the thirty-first legislative day was ~~approved~~.

### RESOLUTION

The following resolution was introduced:

By Mr. Adams:

H. J. R. 68.

Whereas John Thomas Johnson died Thursday afternoon at his home in Reeltown, and

Whereas John Thomas Johnson was long an outstanding citizen of Tallapoosa County, and was the father of Representative J. T. Johnson, of Tallapoosa County; now therefore

Be it resolved by the House of Representatives, the Senate concurring: That the Legislature notes with deep sorrow the death of John Thomas Johnson, and extends sincere sympathy to Representative Johnson and his family for their great loss.

On motion of Mr. Adams the rules were suspended and H. J. R. 68 was adopted.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 585. Relating to Counties having a population of not less than 94,000 nor more than 134,000 inhabitants according to the last or any subsequent decennial census of the United States; regulating the business of operating certain cemeteries within such Counties.

Also:

H. 755. To extend the boundary line of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

H. 781. To provide for the election of a county superintendent of education of Lawrence County; to fix his term of office; to prescribe his salary and expenses, and the manner of payment; to define his qualifications, powers, and duties; and to provide for the election of his successors in office.

Also:

H. 799. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

Also:

H. 808. Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain

funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

Also:

H. 811. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Also:

H. 813. To provide an assistant coroner for counties having a population of not less than 80,000 nor more than 94,000 inhabitants according to the last or any subsequent federal census.

Also:

H. 817. TO provide that any territory which may be annexed to any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census shall continue to be subject to the county, town or city zone classifications as such territory was subject at the time of annexation, until such territory shall have been zoned by such city or until the expiration of one year after the date of such annexation, whichever shall first occur.

Also:

H. 818. To provide that the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census may by ordinance adopted by the favorable vote of a majority of the members of such body amend, supplement, change, modify or repeal any zone regulation, zone restriction or boundary of zone District of such city.

Also:

H. 819. To amend Section 2 of Act No. 634, approved September 4, 1951, Acts of Alabama of 1951, Regular Session, Page 1089, entitled "An act to prescribe certain duties and functions of county planning commissions and boards of zoning adjustment and the governing bodies in all counties having a population of 400,000 or more according to the 1940 or any succeeding Federal Census and to further define the authority, powers and functions of such boards and to authorize the governing body of such counties to enforce its rules, resolutions, regulations and ordinances and to provide remedies for the enforcement of its rules, resolutions, regulations and ordinances made by the governing bodies and to appoint a County Building Commissioner and

to prescribe his authority and duties of such counties and to provide ~~penalties for the violation of such rules, resolutions, regulations and ordinances.~~"

Also:

H. 823. To authorize the governing body of any County in the State of Alabama having a population of at least 125,000 people and not more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indigent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

Also:

H. 831. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Tuscaloosa County authorizing said county to become indebted, in addition to all other indebtedness, and to issue bonds in evidence thereof for the purpose of constructing and equipping a county courthouse and jail and acquiring land therefor.

Also:

H. 832. Relating to the General, Road and Bridge, and Gasoline Funds of Butler County: providing for the transfer of funds from the General and/or Road and Bridge Fund, providing for the use for which the funds must be used after transfer is made to the Gasoline Fund and further that the transfer of any monies heretofore and hereafter transferred from the General and/or Road and Bridge Fund to the Gasoline Fund may be transferred or paid back into the General Fund and/or Road and Bridge Fund from the Gasoline Fund. To further provide the procedure in carrying out said Act.

Also:

H. 833. To authorize all cities or towns in the State of Alabama having a population of 6500 and not more than 6900 according to the

last or any subsequent Federal census to provide for the designation of the members of the governing body of all such cities; to provide that in all general elections for the election of members of the governing body in such cities, each such position shall be filled and shall be designated separately and shall appear separately on all ballots in such election; to provide that each candidate for election in such election shall designate the position to which he is seeking election; to provide that a certificate of election shall only be given to the candidate who receives a majority of the votes cast for his office; to provide that if no candidate receives a majority of the votes for any office of such cities a new election shall be held at which election the two candidates receiving the highest number of votes in the first election for such office shall run, and that the candidate receiving the highest number of votes in the run-off election shall be elected; to provide the manner in which either of the candidates receiving the highest number of votes in an election in which no candidate receives a majority of the votes cast shall decline to run for said office; to provide that the governing body of such cities shall decide the successful candidate in the event of a tie vote in a run-off election; to provide that except as otherwise provided all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the Mayor-Council form of government; and to provide that all laws or parts of laws in conflict with this act are repealed.

Also:

H. 836. Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body.

Also:

H. 853. Relating to Lawrence County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of Lawrence County to pay to the Sinclair Refining Company the sum of one hundred seventy-one dollars and thirty-five cents (\$171.35) out of the gasoline tax fund in the county treasury to compensate the company for damages to two gasoline pumps which were struck and destroyed by a county truck then being used in county road work.

Also:

H. 856. For the relief of Harold E. Simmons of Madison County: Appropriating one hundred dollars (\$100) from the general fund in the county treasury of Madison County to be paid to Harold E. Simmons for property damage sustained when his automobile was struck by a county highway truck in 1953.

Also:

H. 859. To regulate drawing of warrants on the Treasury of Mobile County or on any fund of such County and the signing thereof, for the payment of all salaries, wages, materials, equipment or supplies which are now or which may become a charge against Mobile County or any fund thereof, except warrants or certificates drawn for the payment of jurors, witnesses and election officials; to provide that all such warrants shall be drawn and signed by the Chairman of the Board of Revenue and Road Commissioners and by no other officer of Mobile County and to repeal all laws in conflict herewith.

Also:

H. 864. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama



having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Also:

H. 865. To authorize any county of the State of Alabama having a population of 500,000 or more according to the last or any subsequent federal census to appropriate from time to time funds of said county to any public corporation heretofore or hereafter created under Act No. 215 of the Legislature of Alabama of 1947, approved on July 24, 1947, (General Acts of Alabama of 1947, page 81, et seq.), as said last named act has been or may be hereafter amended.

Also:

H. 866. To provide that any territory which becomes a city or town or part of a city or town in any county having a population of 400,000 or more according to the last or any succeeding federal census, shall continue to be subject to the regulations and restrictions relative to the use and construction of buildings and structures and the use of land for trade, industry and residences as such territory shall have been subject to at the time it became such city or town or a part of such city or town until such city or town has zoned or regulated such territory in such regards; To provide that the provisions of this Act shall not apply to any territory annexed to any city having a population of 250,000 inhabitants or more according to the last or any succeeding federal census.

Also:

H. 273. To further provide for the general revenue of Alabama; to define certain terms; to provide for the withholding of certain taxes; to provide for the making of certain rules and regulations by the Commissioner of Revenue; to provide for including certain wages and excluding certain wages for withholding tax purposes; to provide for withholding certificates; to provide for the payment of amounts withheld; to provide for the assessment of tax against employer under certain conditions; to provide for appeal by the employer; to provide for the issuance of execution by the department under certain conditions; to provide for the furnishing of a statement to the employee; to provide for the liability for the tax withheld; to provide for refunds to employers; to provide for the credit for the tax withheld; to provide for the refunding or crediting of amounts overpaid; to provide penalties for violations of this Act; to provide an optional short form for reporting the tax and to limit its application; to provide tables showing amount of income tax due under certain conditions; to provide for a declaration of estimated tax and the time for filing the declaration; to provide for the payment of the tax estimated in the declaration and when payment is due; to provide for certain deductions; to amend Section 409, Title 51, Code of Alabama 1940, as amended; to repeal conflicting laws; to provide for the severability of this Act; and to provide an effective date for this Act.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum

present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 788. To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Goodwyn, the House non-concurred in the Senate amendment to the bill, H. 788, said Senate amendment being as follows:

##### AMENDMENT TO H. B. 788

Amend Section 1, paragraph (2), entitled "Adjusted Gross Income", by adding the following:

(6) The amounts received by a corporation as dividends from a corporation, or any subsidiary corporation of which the parent corporation owns as much as fifty percent of the capital stock, which is taxable under this Act upon the adjusted gross income of the parent corporation or the subsidiary.

##### AMENDMENT TO H. B. 788

Add the following paragraph to Section 3 of the bill:

(8) National Banks, State chartered banks and Production Credit Associations.

##### AMENDMENT TO H. B. 788

Amend House Bill 788 by striking out paragraphs (3) and (4) on Page 3 of the bill in their entirety.

And by inserting at the end of Section 3 on Page 5 the following:

"(9) Insurance Companies and insurers upon which the statutes of Alabama impose a tax upon their premium income."

##### AMENDMENT TO H. B. 788

Amend H. B. 788, as amended, by adding the following subsection to Section 3 of the bill:

"(10) Federal and State chartered Savings and Loan Associations."

##### AMENDMENT TO HOUSE BILL NO. 788

Amend Section 7 of H. B. 788, as amended, by deleting from the 6th line of the first sentence the words "on the day" and substituting therefor the words "within 30 days from the day".

On motion of Mr. Goodwyn, a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the bill, H. 788.

~~The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Goodwyn, Simon and Hare.~~

## MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 83. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

Also:

S. 98. To amend Sections 96, 97 and 100 of Title 45, Code of Alabama 1940.

Also:

S. 193. To provide for the issuance of distinctive motor vehicle license plates or tags to members of the National Guard and Air National Guard of Alabama upon the payment of an additional sum of \$1.00 for use by such persons upon their personally-owned, private, passenger vehicles in lieu of the standard license plate or tag now required; and for the use of such distinctive plates by the State Military Department.

J. E. SPEIGHT,  
Secretary.

## SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

## H. 605 RECOMMITTED

Mr. Kelly moved that the bill,

H. 605. To amend Sections 1, 5, 11, 13, 14, 15, of Act No. 787, Acts of the Legislature of 1951, approved September 11, 1951, which relate to regulation of the business of lending money.

Be recommitted, and the motion was adopted.

And the Speaker recommitted the bill, H. 605, to the Standing Committee on Public Welfare.

## RESOLUTION

The following resolution was introduced:

By Mr. Kelly:

H. R. 69.

Resolved by the House, that the Clerk of the House be directed to request the Senate to return for further consideration the bill, H. B. 102, which passed the House on the 10th day of May, the third legislative day.

On motion of Mr. Kelly the rules were suspended and H. R. 69 was adopted.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee

on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 788. To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Lamberth, Flowers and Van Antwerp.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 68. Mourning the passing of Honorable John Thomas Johnson and extending sympathy to his family.

J. E. SPEIGHT,  
Secretary.

#### RESOLUTION

The following resolution was introduced:

By Messrs. deGraffenried and Callahan:

H. J. R. 70.

Whereas an opportunity to receive vocational training would assist materially in the rehabilitation of the inmates of Draper Prison, would provide them with a means of earning a livelihood, and would promote their better adjustment to society upon their release from prison, all of which would redound not only to the welfare of the inmates but also to the welfare of the State of Alabama; now, therefore

Be it resolved by the House of Representatives, the Senate concurring: That the State Board of Education is requested to locate at Draper Prison one of the additional trade schools provided for by appropriations or acts of the 1955 Legislature, the curriculum, teachers, and other educational aspects of the school to be under the control and supervision of the State Board of Education, and the custodial needs of the school to be provided by the Board of Corrections.

On motion of Mr. deGraffenried the rules were suspended and H. J. R. 70 was adopted.

#### PETITION IN WRITING

Mr. Law offered the following Petition in Writing:

Pursuant to notice previously given, I hereby move that House Bill 118 be taken from the adverse calendar and placed on the regular calendar.

The motion of Mr. Law to suspend the rules in order to bring up for immediate consideration the above and foregoing Petition in Writing was lost.

Yeas 38; Nays 47.

**Yeas:**

Mr. Speaker  
Albea

Ashworth  
Brassell

Brewer  
Broadfoot

Brown (Lamar)  
Callahan

Cox	Grouby	Law	Payne
Dawkins	Haltom	Love	Selman
deGraffenried	Hanby	Mathews	Shumate
Dement	Harrison	Merrill	Simon
Edwards (Escambia)	Hawkins	Money	Taylor
Ferrell	Huddleston	Nice	Tyson
Gist	Johnson (Elmore)	Nolen	Vacca
Gregory	Kelly		

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## Nays:

Messrs.	Edwards (Jefferson)	Jenkins	Martin
Adams	Faulk	Kendall	Molette
Bassett	Franklin	Killough	Nettles
Boyd	Gilchrist	Kirkham	Oakley
Bradford	Goodwyn	Lee (Barbour)	Pirkle
Brannan	Hain	Lee (Lawrence)	Pruitt
Branyon	Hall	Locke (Choctaw)	Roberts
Brooks	Hardy	Locke (Perry)	Steagall
Brown (Lee)	Hare	McClendon	Stembridge
Cornett	Harvey	McKay	Stokes
Crook	Holliman	McLendon	Summerlin
DeSear	Hunt	McNider	Thomas

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## BILLS ON SECOND READING

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 594 (with amendment). To amend further Section 17 of an Act entitled "An Act to provide for absentee voting in primary, general, special and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws", approved August 19, 1949, as amended by Act 733, H9, approved September 17, 1953. (Acts, 1953, Regular Session, P 993).

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 180. To amend Section 126 of Title 10, Code of Alabama (1940), which relates to the powers of corporations not of a business character.

H. 70. Relating to insurance; regulating the cancellation and alteration of certain individual policies of hospitalization or medical expense insurance.

H. 953. To provide for the naming of an assistant attorney general as election inspector; to designate the circuit solicitors of the state as the representatives of the attorney general's office in regard to reidentification and registration of voters; and to prescribe the powers and duties in connection with the administration of the election laws of this state.

H. 997. To amend Sections 492 and 499 of Title 7, Code of Alabama (1940), which relate to proceedings to perpetuate testimony; providing that such proceedings may be commenced on the affidavit of the attorney for an interested party.

H. 998. To provide that failure to comply with an order allowing the examination of a witness for the purpose of perpetuating testimony pursuant to Article 10 of Chapter 10, Title 7, Code of Alabama (1940), amounts to contempt of court; to prescribe penalties for such failure by a witness who is a party to the suit in which the testimony is needed, and to provide for the enforcement of such penalties.

H. 1006. To provide for the taking of depositions of witnesses or parties upon oral examination for discovery of for use as evidence; to prescribe the scope of the examination, use of such depositions, effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; and to prescribe penalties for the failure of such persons to appear for such examination.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 922 (with substitute). For the relief of Murray R. Lollar.

S. 21 (with substitute). To make an appropriation for the support and maintenance of Walker County Junior College.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 197. Relating to the Office of the Circuit Solicitor of the Twelfth Judicial Circuit: **Creating a fund for the use of certain state officers of said Circuit.**

S. 293. To amend Section 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 338 (with substitute). To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

Mr. Oden Chairman of the Standing Committee on Business and Labor reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 837 (with substitute). To amend Section 73, Title 46, 1940 Code of Alabama, so that the Board, on written application, after examination, may grant a license to any applicant as a general contractor, or (1) as a building contractor, (2) as a highway contractor, (3) as a public utilities contractor or (4) as a specialty contractor as defined and limited by the Board and for re-examination in case of failure to pass the examination and the fee for such application and the renewal thereof.

H. 838 (with substitute). To amend Section 80, Title 46, 1940 Code of Alabama, to provide that no awarding authority or its agent shall issue to other than a general licensed contractor or his representative,

plans or specifications or proposed forms; and where bids are to be received on forms furnished by awarding authority, no proposal forms or plans or specifications shall be issued other than to a licensed general contractor or his representative.

H. 839 (with substitute). To amend Section 77, Title 46, 1940 Code of Alabama, so as to make it a misdemeanor for any architect or engineer preparing plans and specifications for work to be contracted in the State of Alabama to fail to include in their invitations and plans and specifications to bidders, a copy of the contractors law, as required by Section 79, of Title 46, Code of 1940, or accept a bid or award a contract from a contractor not licensed under Chapter 4 of Title 46, Code of Alabama of 1940, and also to make it a misdemeanor for a contractor to submit a bid for work in Alabama, who is not licensed under Chapter 4 of Title 46, Code of Alabama of 1940, and provide penalties therefor.

Mr. Oden Chairman of the Standing Committee on Business and Labor reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 737. Relating to state government administration: To transfer all powers, duties and authority relative to the administration and enforcement of laws relating to mines and mining as provided in Chapter 2 of Title 26, Code 1940; of all laws relating to child labor, as provided in Article 3 of Chapter 7, Code 1940, as amended, and all laws relating to workmen's compensation, as provided in Chapter 5 of Title 26, Code of 1940 from the Department of Industrial Relations and the director thereof to the Department of Labor and the director thereof.

Mr. Davis Vice-Chairman of the Standing Committee on Conservation reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 306. To amend Section 3 of Act No. 169, General Acts of Alabama 1945 (General Acts 1945, Page 286, Section 3, effective August 22, 1945), and said Act as amended, by providing under Sub-section (1) of said Section that the measure of the tax on pine lumber shall be twenty cents per thousand feet board measure lumber tally, and that the measure of the tax on hardwoods and other species of lumber described in Sub-section (2) of said Section shall be eight cents per thousand feet board measure lumber tally, and that Sub-sections (7) and (8) shall be amended to provide that the levy in each instance shall be on invoice value at the loading out point and that such levy shall be based on the amount paid at the stump.

S. 307. To amend Section 1 of Act No. 169 of the Regular Session of the Legislature of 1945, (General Acts of Alabama 1945, Page 285, Section 1, effective August 22, 1945), as amended, by including within the definition of a producer as is defined in Sub-section (d) of said Section any person who assembles or causes to be assembled any forest products for shipment out of the State of Alabama in an unmanufactured condition.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 219. To amend further Section 440 of Title 37 of the Code of 1940 relating to municipal operations.

S. 226. To authorize municipalities in this state to acquire properties suitable for use as post offices, to lease such properties to the United States Government subject to certain requirements, to finance the acquisition of such properties by the issuance of negotiable revenue bonds payable solely out of the rental of such properties and to secure the bonds by pledges of such rentals and by mortgages on such properties, and to make or accept contributions toward the cost of such properties; to authorize the refunding of bonds issued hereunder; to provide remedies in the event of default respecting bonds issued hereunder, to exempt from taxation the properties acquired under authority of this act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor and lease agreements hereunder; to provide that bonds and agreements made in connection therewith shall not constitute an indebtedness of the municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under Alabama laws; to prescribe the purposes for which the proceeds from the sale of such bonds may be used; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

S. 228. To propose and provide for an amendment to the Constitution of Alabama of 1901 providing that obligations hereafter incurred and securities hereafter issued by a municipality having a population of less than 6,000 inhabitants for the purpose of acquiring, providing or constructing sanitary or storm water sewers, street or sidewalk improvements, or school houses, shall not under certain circumstances be deemed to constitute an indebtedness of such municipality within the meaning of Section 225 of said constitution.

The above bill was read a second time at length as required by the Constitution.

S. 242. To amend Sections 308, 309, 310, 312 as heretofore amended, 313, 314, 315, 325 as heretofore amended, 327, 329, and 340 of Title 37 of the Code of Alabama of 1940, all of said Sections being in Subdivision 3 of Article 2 of Chapter 6 of said Title 37, so as to confer on each county and municipality in the state the same powers with respect to the acquisition and financing of electric systems that are conferred by said subdivision with respect to water, sanitary sewer, and gas systems; so as to authorize each county or municipality to consolidate any two or more of its systems, including water, sanitary sewer, gas and electric systems; so as to authorize each county and municipality to issue its revenue bonds (a) for financing the acquisition, improvement, enlargement, extension and repair of any one or more of its water, sanitary sewer, gas, and electric systems, or any such consolidated system or systems; (b) for refunding any bonds heretofore or hereafter issued under said subdivision, or (c) for the combined purpose of such financing and such refunding; so as to authorize such county and municipality to make its revenue bond hereafter issued under said subdivision payable solely out of the revenues from any one or more of its said systems, regardless of the system or systems for the benefit of which such revenue bonds may be issued and regardless of whether or not any of said systems may have been consolidated; so as to make additional provisions with respect to bonds hereafter issued under said subdivision and statutory mortgage liens hereafter created thereunder; so as to revise the provisions of said subdivision respecting the custody and disposition of the revenues from systems hereafter made subject to such liens; so as to provide that the due recording of a notice of such lien shall operate as constructive notice thereof; so as to revise the provisions of said subdivision respecting publication of notice of the



authorization of bonds thereunder; and to repeal Sections 331, 332 and 333 of said Title 37.

S. 243. To authorize and make provision for the incorporation in any municipality in this state of one or more public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, and operating buildings for use by the municipality in which any such corporation shall be organized in the performance of the municipal functions of such municipality; to provide for the election of the directors and officers of each such corporation; to specify its powers; to authorize it and the municipality in which it is organized to enter into leases covering properties of such corporation and to specify requirements respecting such leases; to declare the securing and supplying of reasonable and adequate building, office and storage facilities for the officers, courts, jails, departments, and agencies of the municipality performing municipal duties to be an essential governmental function of the municipality and the rentals payable by the municipality for such purpose to constitute a necessary governmental operating expense of the municipality; to prohibit the municipality in which any such project is located from leasing, or renewing any then existing lease with respect to, any office or storage space in any other buildings located in or about the municipality in which any such project is located while office or storage space is available in such project; to authorize the issuance by such corporation of interest bearing revenue bonds payable solely out of the revenues from the project with respect to which they are issued; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of such revenues, lease and rentals by mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from taxation the properties of said corporation and the income from the leases made with respect thereto, said bonds and the income therefrom, and said leases and mortgages; to authorize investment of idle and surplus funds of the municipality in said bonds; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and mortgage and the proceedings authorizing the same; to authorize the transfer to said corporation, with or without consideration, of properties owned by the municipality whether or not they are necessary for the conduct of governmental or other public functions of the municipality; to provide for the vesting in the municipality of title to each project of said corporation as and when bonds which are payable, in whole or in part, from the revenues derived from such project shall have been paid in full; and to provide for the dissolution of said corporation.

Mr. Bassett Vice-Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 984. Relating to counties having a population of not less than 63,700 nor more than 70,000 inhabitants, according to the last or any subsequent federal decennial census; exempting purchases of medical, surgical, and hospital supplies from any system of competitive bidding now or hereafter provided by law for any such county, or any office, department, board, agency, or institution thereof.

H. 985. Relating to Walker County: To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of Walker County to cover the employees of said county under the Workmen's Compensation Act.

H. 986. Relating to cities and towns in counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census; providing that the territorial limits of the police jurisdiction outside the corporate limits of any such city or town shall not be extended or changed by altering, extending, or rearranging the boundary lines or corporate limits of the city or town through the annexation of adjoining territory.

H. 987. Relating to Walker County; authorizing qualified electors living within the limits of the police jurisdiction of any city or town in the county to vote at municipal elections held by the city or town within whose police jurisdiction they reside, and directing the governing body of each incorporated municipality in the county to designate the place at which electors may vote.

H. 988. Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties.

H. 989. Relating to counties having a population of not less than 22,750 nor more than 23,500 inhabitants, according to the last or any subsequent federal decennial census; authorizing the county board of education of such counties to cancel the contract with any teacher by unanimous vote of the members of the board; and authorizing, directing, and requiring the county board of education of such counties to cancel the contract with any teacher who advocates integration of the races in the public schools, or who is a member of any organization or association which advocates integration of the races in the public schools.

H. 990. Relating to the Office of Sheriff of Calhoun County: Providing for the furnishing of necessary supplies, materials, and equipment to the Sheriff; and repealing Sections 1, 3, and 7 of Act No. 607, H. 641, approved September 4, 1951 (Acts of Alabama, 1951, Page 1043).

H. 991. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Chilton County.

The above bill was read a second time at length as required by the Constitution.

H. 999. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

H. 1000. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

H. 1002. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

H. 1003. To amend Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

H. 1004. To amend further Act No. 16, H. 120, approved May 20, 1943, ~~which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).~~

H. 1005. To further regulate the preparation of jury rolls and the filling and refilling of jury boxes of Talladega County and to provide for the method of serving notice upon jurors requiring their attendance for jury service in said county.

S. 343. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

S. 344. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 200,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

S. 352. Applicable to Winston County; making provisions respecting the use of that portion of the State Gasoline Excise Tax levied under Section 647 of Title 51 of the Code of Alabama of 1940 that may be apportioned to Winston County under Section 657 of said Title 51.

S. 354. Authorizing Winston County to sublease to any municipality or public corporation in Winston County any space not needed by it in any project at any time leased by it from a public corporation now or hereafter organized in Winston County under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama.

S. 291. To create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court.

Mr. Meeks Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 993. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

H. 994. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

H. 995. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

H. 996. To provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the Regular Session of the Legislature of 1923, as reenacted and amended: To include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents.

H. 1001. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

S. 341. To fix the supplemental salary of the Solicitor of the Tenth Judicial Circuit of Alabama, to provide that said supplemental salary shall be paid out of the general funds of Jefferson County, Alabama, and to provide when said act shall go into effect and to repeal all laws in conflict herewith.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 266. To amend further Section 7 of Title 60, Code of Alabama (1940), which relates to the widows of Confederate veterans who are entitled to pensions.

### INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Brannan (with notice and proof):

H. 1007. To provide that no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Baldwin County shall have or exercise police jurisdiction within Baldwin County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Baldwin County or over or on any person in Baldwin County or property or business in Baldwin County; nor shall any such municipality levy, fix or collect any licenses for any business, trade or profession done in Baldwin County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Baldwin County;

Local Legislation No. 1.

Notice and Proof H. 1007:

### NOTICE OF LOCAL BILL

Notice is hereby given that there will be introduced in and passage thereof sought by the 1955 Legislature of Alabama of a bill relating to Baldwin County substantially as follows:

**A BILL  
TO BE ENTITLED  
AN ACT**

To provide that no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Baldwin County shall have or exercise police jurisdiction within Baldwin County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Baldwin County or over or on any person in Baldwin County or property or business in Baldwin County; nor shall any such municipality levy, fix or collect any licenses for any business, trade or profession done in Baldwin County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Baldwin County;

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. That no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Baldwin County shall have or exercise police jurisdiction within Baldwin County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Baldwin County or over or on any person in Baldwin County or property or business in Baldwin County; nor shall any such municipality levy, fix or collect any licenses for any business, trade or profession done in Baldwin County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Baldwin County.

Section 2. This Act shall become operative thirty days after its passage and approval or its otherwise becoming a law.

Section 3. All laws local, general and special in conflict herewith are expressly repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declarations shall not affect the part which remains.

(4t July 28, Aug. 4, 11, 18)

**AFFIDAVIT OF PUBLICATION**

**STATE OF ALABAMA  
BALDWIN COUNTY**

Jo Ann Flirt being duly sworn, deposes and says that she is the Associated Editor of The Foley Onlooker, a Weekly Newspaper published at Foley, Baldwin County, Alabama, that the notice hereto attached of

**A Local Bill**

was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication July 28, 1955

Date of 2nd publication August 4, 1955

Date of 3rd publication August 11, 1955

Date of 4th publication August 18, 1955

**JO ANN FLIRT,  
Associated Editor,  
The Foley Onlooker,  
Foley, Alabama.**

Subscribed and sworn to before me this 18 day of Aug., 1955.

G. MachUMPHRIES,  
Notary Public.

By Messrs. McClendon and Hunt (with notice and proof):

H. 1008. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

Local Legislation No. 1.

Notice and Proof H. 1008:

### NOTICE

STATE OF ALABAMA,  
COUNTY OF CHAMBERS.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

### A BILL TO BE ENTITLED AN ACT

To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The clerk of the circuit court of Chambers County, Alabama, is hereby authorized and empowered to employ a deputy, if in his judgment that is necessary to the proper functioning of his office, such deputy to serve at the will and pleasure of the clerk, who shall fix his compensation at not less than fifteen hundred nor more than twenty-four hundred dollars per annum. The compensation of said deputy so appointed shall be paid out of the general fund of Chambers County, in equal monthly installments, on warrants drawn by the court of county commissioners, board of revenue, or like governing body of the county.

Section 2. The deputy appointed by the circuit clerk shall have full power to transact all business of the clerk in his capacity as clerk and register of the circuit court, after first taking an oath to support the Constitution and laws of this State.

Section 3. Act No. 30, H. 160, approved June 27, 1947, which provided for a clerk in the office of the circuit clerk of Chambers County (Local Acts of 1947, p. 24), as amended by Act No. 279, H. 800, approved July 22, 1949 (Acts of 1949, p. 404) is hereby expressly repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the La Fayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 27, August 3, August 10, and August 17, all in the year 1955.

BONNIE HAND.

Sworn to and subscribed before me August 18, 1955.

E. M. SCHUESSLER,  
Notary Public, Chambers County, Alabama.

By Mr. Speaks (with notice and proof):

H. 1009. Relating to Chilton County: To amend Act No. 872, H. 1118 approved September 12, 1951, which established the Board of Revenue and Control of Chilton County and abolished the Court of County Commissioners.

Local Legislation No. 1.

Notice and Proof H. 1009:

STATE OF ALABAMA  
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Chilton County: To amend Act No. 872, H. 1118 approved September 12, 1951, which established the Board of Revenue and Control of Chilton County and abolished the Court of County Commissioners.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 8 of Act No. 872, H. 1118, approved September 12, 1951, the Act which established the Board of Revenue and Control of Chilton County and abolished the Court of County Commissioners, is amended to read as follows:

"Each associate member of the board shall be a resident and qualified elector of the district for which he is elected, and shall reside in the district during his continuance in office. Each associate member of the board shall be nominated by the voters of the district who are authorized to participate in any primary election, caucus, or convention called or held by any political party for the nomination of candidates for election to said office, and the nomination of candidates for election as members of the board by the voters of the entire county is hereby prohibited."

Section 2. Section 13 of said Act No. 872 is amended to read as follows:

"The board shall employ a clerk who shall devote his entire time to the duties of his office. The clerk shall receive such compensation for his services as may be determined and fixed by the board. The board may also employ such other clerical help and assistance as may be deemed necessary for the proper efficient and economical operation of the board. The clerk shall enter the minutes of all proceedings of the board in a well bound book provided for that purpose, which book shall be kept in the office of the board and shall be open to public inspection at all reasonable hours. The minutes of the meetings of the board shall be entered and recorded in the minute book within ten days from the adjournment of every regular or special meeting. The clerk shall have the minutes of each meeting reproduced within ten days after the meeting, and place a sufficient number of copies thereof in a conspicuous place in the office of the probate judge for public distribution, and shall also post a copy thereof in a conspicuous place in the courthouse and at three other public places in Clanton; and a copy thereof shall likewise be posted in at least three conspicuous places in each of the following municipalities: Maplesville, Thorsby, Verbena, and Jemison. The clerk shall present to the board at each regular meeting a list of all claims which have been filed against the county. He shall keep a complete record of all receipts and disbursements of county funds, and must be prepared at all times to show the exact financial condition of the county."

Section 3. Section 17 of said Act No. 872 is amended to read as follows:

"It shall be the duty of the county engineer to: 1) perform such engineering and surveying service as may be required, and to prepare and maintain the necessary maps and records; 2) maintain the necessary accounting records to reflect the cost of the county highway system; 3) build or construct new roads, or change old roads when ordered to do so by proper order of the board; 4) construct and maintain all county roads on the basis of the county as a unit, without regard to any district or beat lines, insofar as that may be feasible. The county engineer shall also supervise and direct all such assistance, labor, and road hands as are necessary to maintain properly and construct the public roads, highways, bridges, and ferries of Chilton County, and he shall have authority to prescribe their duties; provided, the right of the county engineer to hire and fire employees shall be subject to the approval of the member of the board in whose district the person to be employed or discharged is assigned. Any member of the board shall have the right to discharge any employee within his district for cause, or when he is not needed."

Section 4. Section 28 of said Act No. 872 is amended to read as follows:

"It shall be the further duty of each associate member of the board to inspect the roads and bridges in his district from time to time, and to hear the suggestions and complaints of the citizens, and report the same to the board with his recommendations. The board member shall also advise with the county engineer concerning the progress of his district, particularly, and assist in securing rights-of-ways and assist in public relations generally. Any board member shall have the power and authority to hire or to fire those employees to be used in his district."

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming  
**a law.**



## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. M. Tucker, who, being by me first duly sworn, deposes and says, that during the times herein mentioned he was publisher of the Chilton County News, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, August 4, August 11, and August 18, all in the year 1955.

R. M. TUCKER.

Sworn to and subscribed before me Aug. 18, 1955.

J. C. BURNETT.

By Mr. Oden (with notice and proof):

H. 1010. Relating to the election of the Mayor of the City of Russellville, Alabama, by providing for a second or run-off election in the event no candidate for the office of Mayor receives in the first or regular election a majority of the votes cast therein.

Local Legislation No. 1.

Notice and Proof H. 1010:

## LEGAL NOTICE

Notice is hereby given that the following local bill will be offered for passage in the present session of the Legislature of Alabama:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the election of the Mayor of the City of Russellville, Alabama, by providing for a second or run-off election in the event no candidate for the office of Mayor receives in the first or regular election a majority of the votes cast therein.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1: In any municipal election for the office of Mayor, held in the City of Russellville, Alabama, after the passage and approval of this Act, a majority of the votes cast in such election shall be a prerequisite to election of the Mayor.

Section 2: The City Council of the City of Russellville, Alabama, in canvassing the returns from a regular election in which there were two or more candidates for the office of Mayor, shall declare a candidate for said office elected, and shall issue to him a certificate only if he has received a majority of the votes cast for Mayor in such election. If, on canvassing the returns no candidate for the office of Mayor received a majority of the votes cast for Mayor, the Council shall certify that fact, and shall order a second or run-off election to be held, not later than seven days after the date of the holding of the first or regular election, for the election of a Mayor. The two candidates receiving the largest or highest number of votes for Mayor in the first or regular election shall be candidates for the office of Mayor in the second or run-off election. No other person shall be a candidate in said second

or run-off election. In the event one of the candidates for Mayor in the second or run-off election withdraws from the race by filing a written declaration of withdrawal in the office of the Clerk of said City, no second or run-off election shall be held for that office and the remaining candidate shall then have been elected and shall receive a certificate of election signed by the City Council, or a majority of the members thereof.

Section 3: This Act shall become effective on its passage and approval, or otherwise becoming a law.

30—4

# STATE OF ALABAMA, FRANKLIN COUNTY.

Before me a Notary Public, in and for said State and County, personally appeared Claude E. Sparks, co-owner and editor of the Franklin Citizen-Times, a newspaper published in said State and County, who being sworn according to law, deposes and says that the legal notice, copy of which is herewith attached, was duly published in the Franklin Citizen-Times for 4 consecutive weekly issues beginning with the issue of July 28, 1955 and ending with the issue of August 18, 1955.

Subscribed and sworn to before me, this the.....day of....., 195..... at Russellville, Alabama.

CLAUDE E. SPARKS.

KATHRYN R. WOOD,

Notary Public, Franklin County, Ala.

My commission expires April 2, 1958.

By Mr. Stembridge (with notice and proof):

H. 1011. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

Local Legislation No. 1.

Notice and Proof H. 1011:

## NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that there will be introduced for passage at the present session of the Legislature of Alabama a local bill providing in substance as follows:

### A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act

No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. That Section 1 of Act No. 11 approved May 19, 1945, as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation, and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect," be and the same is hereby amended so as to read as follows: Section 1. That the Sheriff of Houston County, Alabama shall receive and be paid an annual salary of Fifty Four Hundred (\$5400) Dollars, in lieu of other compensation, fees and emoluments, except as otherwise hereinafter provided for in this Act. The said Sheriff shall be allowed the sum of Twenty Thousand and Five Hundred (\$20,500) Dollars per annum for help and assistants as follows: One Chief deputy at Three Thousand Three Hundred (\$3,300) Dollars per annum; Three deputies at Two Thousand Seven Hundred (\$2,700) Dollars each per annum; Three deputies who shall also serve as jailers at Two Thousand One Hundred (\$2,100) Dollars each per annum; and one bookkeeper-deputy at Twenty Four Hundred (\$2,400) Dollars per annum. The Sheriff of Houston County shall further be allowed his necessary expenses in apprehending and returning prisoners from other States, up to and including four hundred (\$400) dollars per annum, said expense money to be paid on requisition filed with and approved by the Board of Revenue of Houston County, Alabama. All payments as provided for in this Act shall be paid out of the general funds of Houston County, in equal monthly installments at the end of each month, upon separate warrants drawn in the same manner as employees of Houston County are paid. The selection and appointment of said deputies, jailers and bookkeeper shall be made by the Sheriff of Houston County, and they shall serve only at his pleasure.

**SECTION 2.** All laws or parts of laws in conflict herewith are hereby expressly repealed.

SECTION 3. This Act shall become effective on October 1, 1955 after its passage and approval by the Governor.

July 27, Aug. 3, 10, 16, 1955.

STATE OF ALABAMA  
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Nat C. Faulk, who is known to me and who, being by me first duly sworn, deposes and says: That he is Executive Editor of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: July 27, Aug. 3, 10, 16, 1955; in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

NAT C. FAULK.

Sworn to and subscribed before me on this 16th day of August, 1955.

JOHN D. HENDERSON,  
Notary Public.

By Messrs. Brown (Lamar) and Fite:

H. 1012. Proposing an amendment to the Constitution of Alabama relating to the powers and authority of the court of county commissioners, board of revenue, or like governing body of Marion and Lamar counties.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1013. To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

Local Legislation No. 1.

Notice and Proof H. 1013:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Section 1 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), as amended, which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor, is amended further to read as follows:

"Section 1. The salary of the Tax Assessor of Morgan County, Alabama, shall be five thousand two hundred dollars (\$5,200.00) per year, and shall be paid out of the County Treasury of Morgan County, in equal monthly installments, at the end of each month."

Section 2. Section 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), as amended, which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor, is amended further to read as follows:

"Section 3. The Board of Revenue and Control, or like governing body of Morgan County, Alabama, is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the tax assessor, but the tax assessor shall select such clerks, deputies and assistants and shall fix their compensation, but the combined salaries or compensation of such clerks, deputies, and assistants selected by him shall not exceed five thousand dollars (\$5,000.00) per annum. The tax assessor shall have the right to discharge such clerks, deputies, and assistants at will, as they shall serve only at his pleasure. The salaries or compensation of the clerks, deputies and assistants shall be paid in equal semimonthly installments out of the general funds of Morgan County, upon separate warrants drawn in the same manner as other employees of Morgan County are paid. In addition to the foregoing allowance the Board of Revenue and Control, or like governing body of Morgan County, shall pay for all necessary traveling expenses for annual trips over the county as required by law, but the tax assessor shall furnish all necessary drawings, maps, registers and plats as required by law, including land and lot books provided for by sections 66 and 67 of Title 51 of the Code of Alabama of 1940, and the books, commonly known as 'Tax Abstract', provided for by section 65 of Title 51 of the Code of Alabama of 1940, without compensation, charges, or expenses to Morgan County, for the same, or the preparation of the same. The compensation of the clerks and assistants shall be paid in semi-monthly installments upon their filing with the chairman of the board of written claims therefor, the correctness of which shall be verified by the oath or affirmation of the tax assessor and of the clerk or assistant making such claim. The Board of Revenue and Control of Morgan County shall have authority to raise and lower the allowance for the clerks, deputies and other assistants to the tax assessor from time to time as conditions may warrant, not to exceed however the sum of five thousand dollars (\$5,000.00) per annum."

Section 3. Section 1 of this Act shall become effective upon the expiration of the term of the incumbent tax assessor of Morgan County, in accordance with the provisions of amendment XCII to the Constitution of Alabama. Section 2 of this Act shall become effective immediately upon the passage and approval of the Act, or upon its otherwise becoming a law.

JOE CALVIN, State Senator  
2nd Senatorial District  
ALBERT P. BREWER,  
Representative, Morgan County  
Place No. 1

BOB GILCHRIST,  
Representative, Morgan County  
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,  
Notary Public.

My commission expires Oct. 21, 1957.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1014. To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

Local Legislation No. 1.

Notice and Proof H. 1014:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), as amended, which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector, is amended further to read as follows:

~~"Section 1. The salary or compensation of the Tax Collector of Morgan County, Alabama, shall be five thousand two hundred dollars (\$5,200.00) per annum, and said annual salary shall be paid out of the county treasury of Morgan County, in equal monthly installments, at the end of each month."~~

Section 2. Section 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), as amended, which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector, is amended further to read as follows:

"Section 3. The Board of Revenue and Control or like governing body of Morgan County, Alabama, is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the tax collector, but the tax collector shall select such clerks, deputies and assistants and shall fix their compensation, but the combined salaries or compensation of such clerks, deputies, and assistants selected by him shall not exceed five thousand dollars (\$5,000.00) per annum. The tax collector shall have the right to discharge such clerks, deputies and assistants at will, as they shall serve only at his pleasure. The salaries or compensation of the clerks, deputies and assistants shall be paid in equal semi-monthly installments out of the general funds of Morgan County, upon separate warrants drawn in the same manner as other employees of Morgan County are paid. In addition to the foregoing allowance the Board of Revenue and Control, or like governing body, of Morgan County, shall pay for all necessary traveling expenses for annual trips over the county as required by law, but the tax collector shall furnish all necessary reports, registers, and lists of qualified voters as required by law, without additional charge or compensation therefor. The compensation of the clerks and assistants shall be paid in semimonthly installments upon their filing with the chairman of the board of written claims therefor, the correctness of which shall be verified by the oath or affirmation of the tax collector and of the clerk or assistant making such claim. The Board of Revenue and Control of Morgan County shall have authority to raise and lower the allowance for the clerks, deputies and other assistants to the tax collector from time to time as conditions may warrant, not to exceed, however, the said sum of five thousand dollars (\$5,000.00) per annum."

Section 3. Section 1 of this Act shall become effective upon the expiration of the term of the incumbent tax collector of Morgan County, in accordance with the provisions of Amendment XCII to the Constitution of Alabama. Section 2 of this Act shall become effective upon the passage and approval of the Act, or upon its otherwise becoming a law.

JOE CALVIN, State Senator  
2nd Senatorial District  
ALBERT P. BREWER,  
Representative, Morgan County  
Place No. 1  
BOB GILCHRIST,  
Representative, Morgan County  
Place No. 2.

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,  
Notary Public.

My commission expires Oct. 21, 1957.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1015. To amend further Sections 1 and 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County, Alabama, on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge.

Local Legislation No. 1.

Notice and Proof H. 1015:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend further Sections 1 and 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County, Alabama, on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), as amended, which placed the judge of probate of Morgan County on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge, is amended further to read as follows:

"Section 1. The Judge of Probate of Morgan County, Alabama, shall receive an annual salary of seven thousand five hundred dollars (\$7,500.00). Such salary shall be in lieu of all other compensation, commissions, allowances, fees, costs, percentages and emoluments to such office, except as herein otherwise provided."

Section 2. Section 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), as amended, which placed the judge of probate of Morgan County on a salary, provided clerical as-



~~sistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge, is amended further to read as follows:~~

"Section 4. The Board of Revenue and Control of Morgan County, Alabama, or other like governing body of the county, shall provide the judge of probate with the necessary books, records, equipment, furniture, fixtures, stationery, postage, and other supplies, and with sufficient clerks and assistants. The judge shall have the authority to select and employ and discharge at will his clerks and assistants, and to fix their compensation, but the total compensation of such clerks and assistants shall not exceed such sum as the Board of Revenue and Control or other county governing body shall allow therefor, not to exceed the sum of fourteen thousand three hundred dollars (\$14,300.00) per annum. The board shall have authority and it shall be its duty to make an allowance for such compensation and to raise and lower the same from time to time, subject to the maximum of fourteen thousand three hundred dollars (\$14,300.00), as conditions and circumstances may warrant."

Section 3. Section 1 of this Act shall become effective upon the expiration of the term of the incumbent Judge of Probate of Morgan County, in accordance with the provisions of Amendment XCII to the Constitution of Alabama. Section 2 of this Act shall become effective immediately upon the passage and approval of the Act, or upon its otherwise becoming a law.

JOE CALVIN, State Senator  
2nd Senatorial District  
ALBERT P. BREWER,  
Representative, Morgan County  
Place No. 1  
BOB GILCHRIST,  
Representative, Morgan County  
Place No. 2

July 26—Aug. 2—9—16

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,  
Notary Public.

My commission expires Oct. 21, 1957.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1016. To amend Section 1 of Act No. 68, H. 263, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 51), which provided for the appointment of a deputy register for the circuit court of Morgan County

and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy register.

Local Legislation No. 1.

Notice and Proof H. 1016:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 1 of Act No. 68, H. 263, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 51), which provided for the appointment of a deputy register for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy register.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 68, H. 263, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 51), which provided for the appointment of a deputy register for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy register, is amended to read as follows:

"Section 1. The register of the circuit court of Morgan County and of the Morgan County Court of Morgan County shall appoint a deputy register and a clerical assistant for such courts. The deputy register shall possess all the powers and authority, both ministerial and judicial, now or hereafter possessed by the register by whom the deputy register is appointed. The compensation of the deputy register and the clerical assistant shall be fixed by the register and shall be paid in equal monthly installments out of the general fund of the county, but the combined compensation of the deputy register and the clerical assistant provided herein shall not exceed four thousand dollars (\$4,000.00) per annum."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

JOE CALVIN, State Senator  
2nd Senatorial District  
ALBERT P. BREWER,  
Representative, Morgan County  
Place No. 1  
BOB GILCHRIST,  
Representative, Morgan County  
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the ~~Decatur Daily~~, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,  
Notary Public.

My commission expires Oct. 21, 1957.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1017. To amend Act No. 436, H. 938, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the county superintendent of education of Morgan County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1017:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Act. No. 436, H. 938, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the county superintendent of education of Morgan County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 436, H. 938, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the county superintendent of education of Morgan County, Alabama, is amended to read as follows:

"The county superintendent of education of Morgan County, Alabama, shall receive a salary of six thousand five hundred dollars (\$6,500.00) per annum. Such salary shall be paid by the county board of education of Morgan County at the same time and in the same manner provided by general laws of this State for the payment of salaries of county superintendents of education."

Section 2. This Act shall become effective upon the expiration of the term of the incumbent county superintendent of education of Morgan County, in accordance with the provisions of Amendment XCII to the Constitution of Alabama.

JOE CALVIN, State Senator  
2nd Senatorial District  
ALBERT P. BREWER,  
Representative, Morgan County  
Place No. 1  
BOB GILCHRIST,  
Representative, Morgan County  
Place No. 2

July 26—Aug. 2—9—16

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,  
Notary Public.

My commission expires Oct. 21, 1957.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1018. For the relief of James Maxwell of Morgan County: Authorizing and directing the court of county commissioners, board of revenue, or like county governing body of Morgan County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of one thousand dollars (\$1,000.00) to compensate James Maxwell for personal injuries suffered by him while acting within the line and scope of his employment with the county, leaving him permanently partially disabled.

Local Legislation No. 1.

Notice and Proof H. 1018:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

For the relief of James Maxwell of Morgan County: Authorizing and directing the court of county commissioners, board of revenue, or like county governing body of Morgan County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of one thousand dollars (\$1,000.00) to compensate James Maxwell for personal injuries suffered by him while acting within the line and scope of his employment with the county, leaving him permanently partially disabled.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Morgan County, Alabama, is hereby authorized and directed to appropriate out of any funds in the county treasury not otherwise appropriated the sum of one thousand dollars (\$1,000.00) to be paid as compensation to James Maxwell for personal injuries suffered by him while acting within the line and scope of his employment with the county leaving him permanently partially disabled.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

JOE CALVIN, State Senator  
2nd Senatorial District  
ALBERT P. BREWER,  
Representative, Morgan County  
Place No. 1  
BOB GILCHRIST,  
Representative, Morgan County  
Place No. 2

July 26—Aug. 2—9—16

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,  
Notary Public.

My commission expires Oct. 21, 1957.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1019. To amend Sections 1 and 2 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the chairman and members of the Board of Revenue and Control of Morgan County.

Local Legislation No. 1.

Notice and Proof H. 1019:

#### STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To amend Sections 1 and 2 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the chairman and members of the Board of Revenue and Control of Morgan County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 1 and 2 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation

of the chairman and members of the Board of Revenue and Control of Morgan County, are amended to read as follows:

"Section 1. The members of the Board of Revenue and Control of Morgan County, Alabama, shall each receive an annual salary of four thousand two hundred dollars (\$4,200.00), to be paid in equal monthly installments on the second Monday in each month, in addition to the mileage now allowed them by law for attending regular meetings of said board.

"Section 2. The chairman of the Board of Revenue and Control of Morgan County, Alabama, shall receive as compensation for his services an annual salary of six thousand two hundred dollars (\$6,200.00), to be paid in monthly installments on the second Monday in each month."

Section 2. This Act shall become effective upon the expiration of the terms of the incumbent members of the Board of Revenue and Control of Morgan County, in accordance with the provisions of Amendment XCII to the Constitution of Alabama.

JOE CALVIN, State Senator  
2nd Senatorial District  
ALBERT P. BREWER,  
Representative, Morgan County  
Place No. 1  
BOB GILCHRIST,  
Representative, Morgan County  
Place No. 2

July 26—Aug. 2—9—16

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,  
Notary Public.

My commission expires Oct. 21, 1957.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1020. Relating to Morgan County; fixing the compensation of the chief deputy of the sheriff of Morgan County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1020:

#### STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Morgan County; fixing the compensation of the chief deputy of the sheriff of Morgan County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The chief deputy sheriff of Morgan County, Alabama, shall receive a salary of three thousand six hundred dollars (\$3,600.00) per annum, payable in equal monthly installments out of the general fund of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

JOE CALVIN, State Senator  
2nd Senatorial District  
ALBERT P. BREWER,  
Representative, Morgan County  
Place No. 1  
BOB GILCHRIST,  
Representative, Morgan County  
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,  
Notary Public.

My commission expires Oct. 21, 1957.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1021. To amend Section 1 of Act No. 64, H. 259, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 45), which provided for the appointment of a deputy clerk for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy clerk.

Local Legislation No. 1.

Notice and Proof H 1021:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 1 of Act No. 64, H. 259, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 45), which provided for the appointment of a deputy clerk for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy clerk.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 64, H. 259, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 45), which provided for the appointment of a deputy clerk for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy clerk, is amended to read as follows:

"Section 1. The clerk of the circuit court of Morgan County and of the Morgan County Court of Morgan County shall appoint a deputy clerk and a clerical assistant for such courts. The deputy clerk shall possess all the powers and authority, both ministerial and judicial, now or hereafter possessed by the circuit clerk by whom the deputy clerk is appointed. The compensation of the deputy clerk and the clerical assistant shall be fixed by the circuit clerk and shall be paid in equal monthly installments out of the general fund of the county, but the combined compensation of the deputy clerk and the clerical assistant provided herein shall not exceed four thousand dollars (\$4,000.00) per annum."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

JOE CALVIN, State Senator  
2nd Senatorial District  
ALBERT P. BREWER,  
Representative, Morgan County  
Place No. 1  
BOB GILCHRIST,  
Representative, Morgan County  
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four



successive weeks without cost to the State of Alabama, said notice having ~~appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.~~

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,  
Notary Public.

My commission expires Oct. 21, 1957.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 1022. To amend Section 1 of Act No. 424, H. 868, approved August 27, 1953 (Acts of Alabama, 1953, p. 525), which authorized the Board of Revenue and Control of Morgan County, Alabama, to provide the sheriff of the county with deputies and jailers and to fix their compensation.

Local Legislation No. 1.

Notice and Proof H. 1022:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 1 of Act No. 424, H. 868, approved August 27, 1953 (Acts of Alabama, 1953, p. 525), which authorized the Board of Revenue and Control of Morgan County, Alabama, to provide the sheriff of the county with deputies and jailers and to fix their compensation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 424, H. 868, approved August 27, 1953 (Acts of Alabama, 1953, p. 525), which authorized the Board of Revenue and Control of Morgan County, Alabama, to provide the sheriff of the county with deputies and jailers and to fix their compensation, is amended to read as follows:

"Section 1. The Board of Revenue and Control of Morgan County, Alabama, is hereby authorized and directed to provide the sheriff of the county with sufficient deputy sheriffs in addition to his chief deputy and jailers to enable him to properly perform the duties of his office. In no event shall the number of deputies be less than three in addition to the chief deputy. The Board of Revenue and Control shall fix the compensation of such additional deputies at not less than two hundred fifty dollars (\$250.00) per month and shall provide for the payment thereof out of the general fund of the county. The Board of Revenue and Control shall also fix the compensation of the jailers and shall provide for the payment thereof of the general fund of the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

JOE CALVIN, State Senator  
2nd Senatorial District

ALBERT P. BREWER,  
Representative, Morgan County  
Place No. 1  
BOB GILCHRIST,  
Representative, Morgan County  
Place No. 2

July 26—Aug. 2—9—16

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,  
Notary Public.

My commission expires Oct. 21, 1957.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 1023. To amend Section 17 of an Act, approved July 7, 1947, entitled "An Act to amend an act approved September 24, 1919 entitled 'An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court' as last amended."; and to provide that this Act shall be retroactive.

Local Legislation No. 1.

Notice and Proof H. 1023:

STATE OF ALABAMA  
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 17 of an Act, approved July 7, 1947, entitled "An Act to amend an act approved September 24, 1919 entitled 'An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court' as last amended."; and to provide that this Act shall be retroactive.

~~BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:~~

Section 1. That Section 17 of an Act of the Legislature of Alabama, approved July 7, 1947, entitled "An Act to amend an act approved September 24, 1919 entitled 'An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court,' as last amended."; be and the same is hereby amended so as to read as follows:

Section 17. All laws pertaining to costs, fees, allowances, commissions, and other compensation in cases in the Circuit Court, and criminal cases in the County Court, as provided by the general laws of this State, shall be applicable to said court, except as herein otherwise provided. A trial tax of Two Dollars is imposed in each case, criminal and civil, both at law and in equity, which is docketed in said court, to be taxed and collected as other costs in said court, and when collected to be paid into the county treasury for the benefit of the general fund.

Section 2. This Act shall be effective immediately upon its passage and approval, and shall be retroactive to July 7, 1947, and neither the Clerk nor Register of said court shall be required to pay to the State of Alabama or to Morgan County any percentage on monies collected for the State or for the County from which there was heretofore deducted a commission or percentage as allowed by the general laws to Clerks and Registers of the Circuit Court.

JOE CALVIN, State Senator  
2nd Senatorial District  
ALBERT P. BREWER,  
Representative, Morgan County  
Place No. 1  
BOB GILCHRIST,  
Representative, Morgan County  
Place No. 2

July 26—Aug. 2—9—16

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John T. Walden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was managing editor of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1955.

JOHN T. WALDEN.

Sworn to and subscribed before me August 16, 1955.

R. H. JERVIS,  
Notary Public.

My commission expires Oct. 21, 1957.

July 26—Aug. 2—9—16

By Messrs. Perry, Meeks, Nice, Edwards (Jefferson), Vacca, Kaul and Lackey (with notice and proof):

H. 1024. To alter or rearrange the boundary lines of the Town of Vestavia Hills, Alabama, so as to include within the corporate limits of said Town territory not already included therein.

Local Legislation No. 2.

Notice and Proof H. 1024:

Notice is hereby given that a Bill substantially as follows will be introduced at the 1955 regular session of the Legislature of Alabama and application for its passage and enactment will be made:

A BILL  
TO BE ENTITLED  
AN ACT

To alter or rearrange the boundary lines of the Town of Vestavia Hills, Alabama, so as to include within the corporate limits of said Town territory not already included therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the town of Vestavia Hills, in the County of Jefferson, and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said Town all of that territory lying within the County of Jefferson and included in the following described property:

The West half of the Northwest quarter of Section 30, Township 18, South, Range 2 West; The North half of the Northwest quarter of the Southwest quarter of section 30, Township 18 South, Range 2 West: All of that part of the Northeast quarter of Northwest quarter of Section 30, Township 18 South, Range 2 West, lying west of the westerly right of way line of the Montgomery Highway consisting of lots 1 to 12, Block 21, and lots 1 to 12, Block 22, according to the survey of South Birmingham Heights and lots 1 and 2 Shades City: Also the Southeast quarter of Northeast quarter and the Northeast quarter of Southeast quarter of Section 25, Township 18 South, Range 3 West, Jefferson County, Alabama.

The Northeast quarter of Northeast quarter of Section 25, Township 18 South, Range 3 West and the East 981.0 ft. of the Northwest quarter of Northeast quarter of Section 25, Township 18 South, Range 3 West; All of the Southwest quarter of Southeast quarter of Section 24, Township 18 South, Range 3 West, lying South and Southeast of the center line of the Shades Crest Road: Also all of the Southeast quarter of Southeast quarter of Section 24, Township 18 South, Range 3 West, lying Southwest of the center line of the Universal Atlas Cement Company's power line right of way, Jefferson County, Alabama.

Section 2. That all laws or parts of law in conflict hereby repealed.

Section 3. This act shall take effect on October 2nd, 1955.

ROBERT W. GWIN,  
2212 Shades Crest Road,  
TOWN OF VESTAVIA HILLS  
Montgomery Highway.

Post-Herald, July 26, Aug. 2, 9, 16, '55

STATE OF ALABAMA,  
COUNTY OF JEFFERSON, ss:

On this 16th day of August A. D. one thousand nine hundred and 55 personally appeared before me, Joe L. Roberts, a Notary Public in and

for the County and State aforesaid George W. Bradley, who being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post Herald" on the following dates: July 26, 1955; August 2, 1955; August 9, 1955; August 16, 1955.

Signed GEORGE W. BRADLEY.

Subscribed and sworn to before me this 16th day of August, A. D., 1955.

JOE L. ROBERTS,  
Notary Public.

My Commission Expires Mar. 12, 1956.

By Messrs. Shumate and Selman (with notice and proof):

H. 1025. To alter and extend the boundary line and corporate limits of the City of Cordova in Walker County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1025:

#### NOTICE

NOTICE is hereby given that at the current session of the Legislature of Alabama, a bill will be introduced in substantially the following form, and the passage of the same will be attempted:

#### AN ACT

To alter and extend the boundary lines and corporate limits of the City of Cordova in Walker County, Alabama.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the City of Cordova in Walker County, Alabama, are altered and extended to include therein and place within the corporate limits of said municipality all lands lying within the following described boundary lines.

Begin at the Southeast corner of Section 1, Township 15 South, Range 7 West, Walker County, Alabama; thence West along the South line of said Section for a distance of one-quarter mile; thence South to the South line of Section 12, Township 15, South, Range 7 West; thence East for a distance of three and one-fourth miles to the East line of Section 9, Township 15 South, Range 6 West; thence North to the point at which said East line of said Section intersects the Mulberry Fork of the Warrior River; thence North along the West bank of said Mulberry Fork of said river to the point where Cain Creek flows into the same; thence Northwesterly along the meanderings of said Cain Creek to the point where said creek intersects the West line of the SE $\frac{1}{4}$  Section 31, Township 14, South, Range 6 West; thence South to the South line of Section 6, Township 15 South, Range 6 West; thence West to the Southeast corner Section 1, Township 15 South, Range 7 West, the point of beginning.

Section 2. All laws in conflict herewith relating to the establishment of the corporate limits for the City of Cordova in Walker County, Alabama, are hereby repealed.

Section 3. This act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

ALONZO SHUMATE  
T. K. SELMAN

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ellouise Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Mt. Eagle Pub. Co., Inc., a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, Aug. 4, Aug. 11, and Aug. 18, all in the year 1955.

ELLOUISE GRIFFIN.

Sworn to and subscribed before me August 18, 1955.

FAY O'REAR,  
Notary Public.

By Messrs. Nettles and Oakley (with notice and proof):

H. 1026. To authorize and empower the sheriff of Wilcox County to appoint an additional deputy whose compensation shall be paid in part out of the general fund in the county treasury.

Local Legislation No. 1.

Notice and Proof H. 1026:

## NOTICE

STATE OF ALABAMA  
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize and empower the sheriff of Wilcox County to appoint an additional deputy whose compensation shall be paid in part out of the general fund in the county treasury.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sheriff of Wilcox County is hereby authorized and empowered to appoint a deputy in addition to all other deputies authorized by law, and to fix his compensation. The court of county commissioners, board of revenue, or like governing body of Wilcox County shall pay one hundred and fifty dollars per month of the total compensation of such deputy, out of the general fund in the county treasury. Such deputy shall have the power and authority of other deputies of the sheriff, but shall reside in and devote the major portion of his time in law enforcement work on the west side of the Alabama River.

Section 2. This Act shall become effective on the first day of the month commencing after the date of its enactment.

July 28; Aug. 4-11-18

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared Stanley D. Godbold, who, being

by me first duly sworn, deposes and says that during the times herein mentioned ~~he was Publisher of the Wilcox Progressive Era~~, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, Aug. 4th, Aug. 11th, and Aug. 18th, all in the year 1955.

STANLEY D. GODBOLD.

Sworn to and subscribed before me Aug. 18, 1955.

FRANCES M. GOBOLD,  
Notary Public, Wilcox County, Ala.

By Mr. Kelly (with notice and proof):

H. 1027. Relating to Winston County: Creating the Winston County Commission on Education to administer the public school laws, supervise the public school system, and promote the educational interests of the county; abolishing the board of education of Winston County and the office of county superintendent of education; providing for the election of members of the Commission and for the election of a superintendent of county schools, fixing their terms, qualifications, and compensation, and prescribing their powers and duties.

Local Legislation No. 1.

Notice and Proof H. 1027:

STATE OF ALABAMA,  
COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Winston County: Creating the Winston County Commission on Education to administer the public school laws, supervise the public school system, and promote the educational interests of the county; abolishing the board of education of Winston County and the office of county superintendent of education; providing for the election of members of the Commission and for the election of a superintendent of county schools, fixing their terms, qualifications, and compensation, and prescribing their powers and duties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of education and the office of superintendent of education of Winston County are hereby abolished, and there is created in lieu of the board of education the Winston County Commission on Education. The Commission of Education shall administer the school laws of the State and County, supervise the public schools and public school system of the county, and shall have and exercise all the rights, powers, duties and privileges vested in and required of county boards of education.

Section 2. Immediately upon the effective date of this Act, the Governor shall appoint five qualified persons as members of the Winston County Commission on Education, who shall hold office until their successors are elected or appointed as herein provided. Three members of the Commission shall be elected by the qualified electors of

Winston County at the general election in November, 1956, and every four years thereafter. Two members of the Commission shall be elected at the general election in 1958, and every four years thereafter.

Members of the Commission shall take office on the first Monday after the second Tuesday in January next succeeding their election. They shall qualify and be removed in the same manner as members of county boards of education. All members of the Commission shall be, at the time of their election or appointment and during their continuance in office, qualified electors of Winston County. The members of the Commission shall elect a chairman from among their number. Three members shall constitute a quorum.

Section 3. Immediately after the effective date of this Act, the Governor shall appoint some qualified person as superintendent of county schools in Winston County, and such appointee shall hold office until July 1, 1957. A superintendent of county schools shall be elected by the qualified electors of Winston County at the general election in November, 1956, and every four years thereafter. The superintendent of county schools shall take office on the first day of July next succeeding his election. No person shall be eligible for appointment for political party nomination, or for election to the office of superintendent of county schools who does not hold an Alabama certificate in administration and supervision based upon requirements established by the State Board of Education for such certificates, and who does not submit proof to the State Superintendent of Education of at least three years of successful education experience as teacher, principal, supervisor, superintendent, educational administrator, or instructor in school administration during the five years preceding his appointment or election. The superintendent of county schools must be, at the time of his election or appointment and during his continuance in office, a qualified elector of Winston County. His term of office shall be for four years, and he shall be removed only by impeachment in the manner prescribed by law. He shall receive an annual salary and the necessary expenses of traveling in the performance of his official duties. His salary shall be fixed by the Winston County Commission on Education at a sum not in excess of .....dollars.

Section 4. The members of the Winston County Commission on Education shall receive from the public school funds of the county seven dollars and fifty cents a day for attending commission meetings, and actual traveling and hotel expenses incurred. They shall not be allowed pay or expenses for more than twenty-four days in any one year.

Section 5. The general administration and supervision of the public schools of Winston County shall be vested in the Winston County Commission on Education. The Commission shall determine the educational policy of the county, and shall prescribe rules and regulations for the conduct and management of the county schools. All the powers, rights, privileges, prerogatives, jurisdiction, and duties vested in or imposed on county boards of education are hereby vested in or imposed on the Winston County Commission on Education.

Section 6. The superintendent of county schools of Winston County shall be the chief executive officer of the Winston County Commission on Education. All the powers, rights, privileges, prerogatives, and duties heretofore vested in or imposed on the county superintendent of education are hereby transferred to the superintendent of county schools. The superintendent shall give bond in such penal sum as may be prescribed by the Winston County Commission on Education, in the manner and with the conditions provided for custodians of county school funds. Any vacancy occurring in his office shall be filled by appointment by the Governor for the unexpired term.



Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Ayres, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Winston County Times, a newspaper of general circulation published in Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28 and August 4, 1955, all in the year 1955.

J. W. AYRES.

Sworn to and subscribed before me August 13, 1955.

GRADY N. MARTIN,  
Notary Public.

By Mr. Kelly:

H. 1028. To amend Act No. 131, S. 9, approved July 12, 1955, which regulates the compensation of certain circuit judges.

Judiciary.

By Messrs. McKay and Payne (with notice and proof):

H. 1029. To provide for a court of limited jurisdiction in Beat 12 of Talladega County; to provide for the court's officers and their term, powers, duties, compensation, and method of selection; to prescribe the jurisdiction of the court; to regulate its procedure and process; to provide for the return of warrants thereto; to fix the costs, charges, and commissions collectible in the court; to provide for appeals from the court; and to regulate the abolition of the court.

Local Legislation No. 1.

Notice and Proof H. 1029:

##### STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To provide for a court of limited jurisdiction in Beat 12 of Talladega County; to provide for the court's officers and their term, powers, duties, compensation, and method of selection; to prescribe the jurisdic-

tion of the court; to regulate its procedure and process; to provide for the return of warrants thereto; to fix the costs, charges, and commissions collectable in the court; to provide for appeals from the court; and to regulate the abolition of the court.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The court of county commissioners, board of revenue, or like governing body of Talladega County is authorized to provide by ordinance for the establishment of a court of limited jurisdiction in criminal cases and civil actions at law in Beat 12 of Talladega County, which court shall be known as the Childersburg Civil Court.

Section 2. (a) Except as provided in subsection (b) of this section, the court shall have and exercise jurisdiction of all actions, causes, matters, proceedings and cases (including bastardy proceedings, actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment or actions in the nature of actions of ejectment), cognizable before circuit courts, county courts, justices of the peace or court created in lieu thereof and all courts of like jurisdiction. It shall have authority to punish contempts by fine not exceeding twenty-five dollars and imprisonment for not more than twenty-four hours. It may adopt and enforce rules and regulations relative to pleading, practice and procedure, provided that such rules and regulations are not contrary to the Constitution and laws of the State and law-made rules governing practice and procedure in circuit courts, inferior courts or justice of the peace courts or courts created in lieu thereof.

(b) The court shall not have the power to try persons charged with felonies, nor shall the court have jurisdiction of actions for libel or slander or workmen's compensation cases. It shall not have jurisdiction of any civil action when the amount in controversy exceeds three hundred dollars, nor take cognizance of any matter or proceeding in equity.

Section 3. (a) The judge of the court herein authorized shall be appointed by the court of county commissioners, board of revenue, or like governing body of Talladega County. The judge shall hold office at the pleasure of the court of county commissioners, board of revenue or like governing body of Talladega County.

(b) The judge shall, before entering upon the discharge of the duties of his office, take the oath prescribed by Section 279 of the Constitution. No person shall be eligible to the office of Judge unless he is at the time of his appointment a qualified elector of Talladega County residing within the territorial jurisdiction of the court. The judge shall not, during his term of office, act as attorney in any matter that has previously been before the court herein authorized or is pending before the court, but, if he be a duly licensed attorney, may practice and appear in all other courts and matters when the amount in controversy in a civil action exceeds three hundred dollars, if he be a duly licensed attorney, neither the judge nor his partner shall practice or appear as counsel in any criminal court in Talladega County in any criminal case in which the offense charged arose within the jurisdiction of the court herein authorized. Neither the judge nor his partner shall appear as counsel in any civil case in which the amount in controversy is three hundred dollars or less, exclusive of interest, and the cause of action arose within the jurisdiction of the court herein authorized. The judge shall be subject to the same penalties and obligations as circuit judges. Before entering upon the duties of his office, the judge shall give bond in such penal sum as may be prescribed by the court of county commissioners, board of revenue, or like governing body of Talladega County payable to the county and conditioned upon the faithful per-

formance of the duties of his office. The bond shall be approved by ~~and filed in the office of the probate judge of Talladega County.~~ The premiums on the bond shall be paid out of the county treasury.

(c) The judge shall receive an annual salary not to exceed two thousand four hundred dollars (\$2,400), payable out of the general fund of the county in equal monthly installments as the salaries of other county officers and employees are paid.

(d) The judge shall have authority to: (1) administer oaths and take acknowledgments: (2) issue search warrants: (3) solemnize marriages: (4) issue writs of ne exeat returnable to a court of proper jurisdiction: (5) exercise such other powers, jurisdiction or authority as may be conferred by law upon judges of inferior courts, county courts or justices of the peace, including that of magistrates on preliminary examinations.

(e) The judge shall keep an accurate civil and criminal docket and a record of all proceedings had in the court, including a direct and reverse index to all civil cases and proceedings had or pending in the court; and all judgment entries shall be signed by the judge and entered on his docket as required by law. Such dockets and records shall be open to public inspection at all reasonable times.

(f) The judge may, in the event there is no qualified or duly elected or appointed constable within the court's jurisdiction, appoint a suitable person to act without bond as constable, except as hereinafter provided. The person so appointed shall perform the same duties, be liable for the same penalties and be entitled to the same fees and compensation as a regular constable, but he shall not be authorized to levy or collect executions, attachments or writs of detinue unless prior to the levying or collecting of such executions, attachments or writs of detinue he executes a bond in the sum of twice the value of the property to be levied on, payable to the defendant as is required by law with sureties to be approved by the judge.

(g) In case the judge is unable at any time to discharge the duties of his office by reason of sickness, disqualification, or other cause, he shall when necessary make or cause to be made a written order to be filed in the court designating and appointing a practicing attorney of the county who is learned in the law as special judge of the court. The person so appointed shall perform all the duties and exercise all the powers and authority of the judge and shall hold office until the judge resumes his duties. The special judge shall receive five dollars for each day he serves as special judge, payable in the same manner and from the same funds as the compensation of the regular judge. Any amount paid to a special judge shall be deducted from the compensation of the regular judge of the court.

Section 4. (a) The court shall be open for the transaction of any kind and all business or judicial proceedings of every kind within its jurisdiction at all times.

(b) Sessions of the court shall be held at such times and places, within the court's jurisdiction, as may be designated by the judge. There shall be at least one civil and one criminal session of the court each week.

(c) The judge shall designate one or more of the constables within the court's territorial jurisdiction, or the special constable appointed by him pursuant to sub-section (f) of Section 3 of this Act, to attend, and the constable or constables so designated shall attend the sessions of the court in person. All writs and processes of the court shall be executed by a duly elected and qualified constable within the jurisdiction of the court or by the sheriff of the county.

(d) The constable shall be entitled to the same fees and allowances for serving and executing writs and process in the court as the sheriff is entitled to under the general law for serving and executing like writs and process.

Section 5. (a) Except as otherwise provided in this Act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits and the time within which suits may be brought shall be governed by statutes and rules of practice, procedure and process governing circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint or other processes have been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within seven days and the process issued shall so recite.

(c) In all civil actions at law where the amount in controversy does not exceed one hundred dollars the rules, practice and procedure shall be the same as prescribed by the statutes and rules of practice, procedure and process governing justice of the peace courts, except that the defendant shall have seven days in which to plead, answer or demur to any process issued from the court.

It is provided however that in cases of forcible entry and unlawful detainer the proceedings shall be had in all respects according to the rules of practice in justice of the peace court or courts created in lieu thereof.

(d) The judge shall decide all issues of the law and fact without the intervention of a jury.

Section 6: (a) For their attendance upon the court witnesses shall be entitled to the same fees and allowances prescribed by law for witnesses in county courts, which fees and allowances shall be taxed, collected and paid in the same manner as fees and allowances are taxed and paid in county courts.

(b) In addition to fees for witnesses, the court shall have authority to tax costs and commissions for the use of the officers of the county as follows: (1) in each civil action at law, if the amount in controversy does not exceed one hundred dollars, the same as in justice courts: (2) in every other civil action at law, the same as in circuit courts: (3) in each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in justice courts: (4) in every other criminal case, the same as in county courts, including fees as provided in Sections 86 and 87 of Title 11 of the Code of Alabama, 1940, except as provided in Section 7(b) of this Act.

(c) A trial tax of fifty cents shall be collected for the use of the county in each civil action at law if the amount in controversy does not exceed one hundred dollars. In every other civil action at law and in every criminal case, a trial tax of one dollar shall be collected for the use of the county.

Section 7. (a) Prosecutions may be commenced in the court upon a sworn complaint made by the judge of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, or upon a sworn complaint made as prescribed by Section 3227 of Title 13 of the Code of Alabama, 1940, the case shall be docketed for trial after indictments. The judge shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost,

mislaidd or destroyed, a certified copy of the record shall be sufficient for ~~the arraignment and trial of the accused:~~

(b) All warrants issued within the court's jurisdiction for misdemeanors for violations of the rules of the road and other misdemeanors defined or provided for in Title 36 of the code of Alabama, 1940, shall be returnable to the court and shall be tried therein. The court costs in such cases shall be the same as in justice courts.

Section 8. Any party aggrieved by a judgment, order or ruling of the court may appeal the decision to the circuit court of Talladega County within five days from the entry of a judgment and on the appeal either party may demand, and shall be entitled to a jury trial. Appeals shall be taken in the same manner as provided by law for appeals to the circuit court from judgments of justice courts or courts created in lieu thereof. The trial in the circuit court shall be de novo and according to the same procedure as in appeals from judgments of justice courts or courts created in lieu thereof.

Section 9. Once the court authorized herein has been created and established by the court of county commissioners, board of revenue or like governing body of Talladega County, the court may be abolished by such governing body only if the question of its abolition is approved by a majority of the qualified electors of Beat 12 of the county voting in a referendum held on this proposition.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Rozelle, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Childersburg News, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 29, 1955, Aug. 5, 1955, Aug. 12, 1955, and Aug. 19, 1955, all in the year 1955.

E. E. ROZELLE.

Sworn to and subscribed before me August 19, 1955.

C. W. McKAY, JR.,  
Notary Public.

By Mr. Harrison:

H. 1030. To amend Act No. 46, H. 36, approved April 7, 1955, which regulates the sale of eggs and provides for the inspection and grading thereof.

Business and Labor.

By Mr. Speaks (with notice and proof):

H. 1031. To create the office of Deputy Solicitor for Chilton County; to provide for his election, and the method of appointment in the event

of a vacancy; to fix his salary and define his powers and duties; and to repeal all general and local laws in conflict herewith so far as they relate to Chilton County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1031:

STATE OF ALABAMA  
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To create the office of Deputy Solicitor for Chilton County; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; and to repeal all general and local laws in conflict herewith sofar as they relate to Chilton County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created the office of Deputy Solicitor of Chilton County.

Section 2. The Deputy Solicitor hereby created shall be elected by the qualified electors of the County of Chilton at the General Election to be held for the election of State and County officers in November, 1958, and every four years thereafter, and shall hold office for a term of four years beginning on the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified.

Section 3. A vacancy in the office of such deputy solicitor shall be filled by appointment of the Circuit Solicitor of the Circuit in which Chilton County then is, and the appointee shall hold office for the unexpired term and until his successor is elected and qualified.

Section 4. It shall be the duty of the deputy solicitor of Chilton County to represent the State of Alabama in all cases in the courts of the County, in all preliminary proceedings, applications for bail and habeas corpus and other criminal proceedings in said county requiring the services of a prosecuting attorney; to aid and act for the solicitor of the Circuit Court before the Grand Jury and in all matters of the Circuit Court, and in the absence of the Circuit Solicitor to perform all of his duties; also to attend coroner's inquest and examine witnesses and select such witnesses as in his judgment should be and appear before the Grand Jury or before the courts on preliminary hearing or habeas corpus, and when called upon to do so by the Commissioner's Court, or any governing body of said county, to represent the County of Chilton in all litigation in which it is engaged.

The Deputy Solicitor shall be clothed with all other powers and shall be charged with all duties now given or imposed upon the deputy solicitor of said Chilton County, Alabama, by any laws now in force or hereafter to be prescribed by law for deputy solicitors it being the intention of this Act that said Deputy Solicitor shall prosecute all cases in which the deputy solicitor is required to prosecute.

It shall be the further duty of the deputy solicitor of Chilton County to aid and assist the sheriff and any other law enforcement officers of Chilton County, when called upon, in making any preliminary investigations of any crime or crimes committed in the County; the School At-

tendance officer or officers in the investigation of violations of School ~~Attendance Law, to aid and assist the Public Welfare Director and~~ assistants, when called upon by them; and in the absence of the Judge and Clerk of the Chilton County Law and Equity Court of Chilton County, Alabama shall have the power to take oaths in support of complainant and to issue warrants in all criminal cases provided that such warrants shall be made returnable to the Court having original jurisdiction of the offense charged.

Section 5. That the Deputy Solicitor for Chilton County, Alabama shall receive a salary not less than \$2,400.00 per annum, to be paid out of the general fund of said County in 12 equal installments.

Section 6. The sections of this Act and the parts of each section are hereby declared to be independent sections and parts of sections, and the holding of any section or part thereof to be void, ineffective or unconstitutional shall not effect the other sections or parts thereof, it being now declared that the other parts or other sections would have been enacted regardless of any section or part of section which might be held unconstitutional, inoperative or ineffective.

Section 7. The Act of the Legislature creating the Office of County Solicitor of Chilton County, Alabama general and local law, regular session 1939 and special session 1939, Page 258 and local laws of the regular session 1949 Act to 209 is hereby repealed and said office is abolished. It is further provided that Lawrence F. Gerald, Jr., who was elected County Solicitor of Chilton County, Alabama, in November, 1954 and who took office the first Monday after the Second Tuesday in January, 1955, be appointed and serve as Deputy Solicitor until the first Monday after the second Tuesday in January, 1959, or until his successor is elected and qualified.

Section 8. All laws or parts of laws, both local and general, in conflict with the provisions of this Act are hereby repealed in so far as they relate to Chilton County.

Section 9. This Act shall go into effect upon its approval by the Governor. 30-4tc

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. M. Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Chilton County News, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, August 4, August 11, and August 18, all in the year 1955.

R. M. TUCKER.

Sworn to and subscribed before me Aug. 18, 1955.

J. C. MERRITT.

By Mr. Hodges (with notice and proof):

H. 1032. To alter or rearrange the boundary lines of the Town of Ragland, St. Clair County, Alabama, so as to include within the corporate

limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1032:

#### LEGAL NOTICE

#### A BILL TO BE ENTITLED AN ACT

To alter or rearrange the boundary lines of the Town of Ragland, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundary lines of the Town of Ragland, St. Clair County, Alabama, be and the same are altered or rearranged so as to include within the corporate limits of said town, all territory now within such corporate limits, and also other territory within St. Clair County, Alabama, described as follows:

Begin on the North right of way line of the Seaboard Airline Railway Company on the East line of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Section 7, Township 15, Range 5 E; thence in a south westerly direction along the north line of the Seaboard Airline Railway Company right of way to the South line of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Section 7, Township 15, Range 5 East; thence West along section line to the south west corner of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 12, Township 15, Range 5 East; thence North along the section line to a point where the west line of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 12, Township 15, Range 4 East intersects the North line of the M. H. Acton line, being approximately 900 feet North of the south west corner of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 12, Township 15, Range 4 East; thence South 73 degrees 24' East, 967 feet more or less, and following the M. H. Acton line; thence North 66 degrees, .06' East 387.11 feet to the East line of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Section 7, Township 15, Range 5 East; thence North 72 degrees—00' East to the North line of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Section 7, Township 15, Range 5 East; thence East along the North line of said NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 7, Township 15, Range 4 East, to the North East corner thereof; thence South along the half section line to point of beginning.

Also beginning 950.8 feet East of the North West corner of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$ , Section 8, Township 15, Range 5 East; thence East along section line to the north east corner of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$ , Section 9, Township 15, Range 5 East; thence South along quarter section line to the south east corner of the North  $\frac{1}{2}$  of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Section 9, Township 15, Range 5 East; thence West, and parallel to the half section line to the south west corner of the North  $\frac{1}{2}$  of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Section 8, Township 15, Range 5 East; thence continuing west 369.2 feet; thence North and parallel to the quarter section line 3300 feet to point of beginning.

Section 2. That the boundaries as set out in Section 1, of the Act, be and the same are hereby established as the corporate limits of the Town of Ragland, St. Clair County, Alabama, and all the territory included and embraced in said boundaries shall hereafter be and constitute the Town of Ragland, St. Clair County, Alabama.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

NA June 30, July 7, 14, 21, 1955.



STATE OF ALABAMA  
~~ST. CLAIR COUNTY~~

On this 1 day of August 1955, personally appeared before me Louise G. Hullett, Notary Public, in and for the County and State aforesaid, Ethel Blair, who being duly sworn according to Law, declares that she is Bookkeeper of the "St. Clair News-Aegis", a newspaper published in the city of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in the "St. Clair News-Aegis" on the following dates: 6/30 & 7/7-14-21. That a copy of said paper was furnished the.....of the.....Court.

Signed ETHEL BLAIR.

Subscribed and sworn to before me, this 1 day of August, A.D., 1955.

LOUISE G. HULLETT,  
 Notary Public.

By Messrs. Hawkins, Goodwyn and Nolen:

H. 1033. To amend Section 2, Title 26, Code of Alabama 1940, as amended, the same pertaining to the Director of Industrial Relations.

Ways and Means.

BILLS ON THIRD READING

H. 894. To abolish the DeKalb County Board of Revenue, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a County Commission to be known as DeKalb County Commission. To provide for the election of the members of said Commission, to fix their time of office, to define the powers and duties of such Commission and to fix the compensation of the members thereof.

Was taken up.

Mr. Ferrell offered the following amendment to the bill, H. 894:

AMENDMENT TO H. B. 894

Amend House Bill 894 by deleting therefrom Section 5 and re-numbering the sections following the deleted section so that the sections will be numbered in proper sequence.

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hain	Kirkham
Adams	Cox	Hall	Lackey
Albea	Davis	Haltom	Law
Ashworth	deGraffenried	Hanby	Lee (Lawrence)
Bassett	Dement	Hardy	Locke (Choctaw)
Boyd	DeSear	Harvey	Locke (Perry)
Bradford	Edwards (Escambia)	Hawkins	Love
Brannan	Edwards (Jefferson)	Holliman	McClendon
Branyon	Faulk	Huddleston	McLendon
Brassell	Ferrell	Hunt	McNider
Brewer	Franklin	Jenkins	Martin
Broadfoot	Gilchrist	Johnson (Elmore)	Mathews
Brooks	Gist	Kelly	Mathison
Brown (Lamar)	Gregory	Kendall	Merrill
Callahan	Grouby	Killough	Molette

Money	Payne	Shumate	Stembridge
Nettles	Perry	Simon	Stokes
Nice	Pirkle	Solomon	Summerlin
Nolen	Ramey	Speaks	Thomas
Oakley	Roberts	Steagall	Ward
Oden	Selman		

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And said bill, H. 894, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kelly	Nolen
Adams	Edwards (Jefferson)	Kendall	Oakley
Albea	Faulk	Killough	Oden
Ashworth	Ferrell	Kirkham	Payne
Bassett	Franklin	Lackey	Pirkle
Boyd	Gilchrist	Law	Pruitt
Bradford	Gist	Lee (Lawrence)	Ramey
Brannan	Goodwyn	Locke (Choctaw)	Roberts
Branyon	Gregory	Locke (Perry)	Selman
Brassell	Grouby	Love	Shumate
Brewer	Hain	McClendon	Simon
Broadfoot	Hall	McKay	Solomon
Brooks	Haltom	McLendon	Speaks
Brown (Lamar)	Hanby	McNider	Steagall
Callahan	Hardy	Martin	Stembridge
Cornett	Hare	Mathews	Stokes
Cox	Harvey	Mathison	Summerlin
Davis	Hawkins	Merrill	Taylor
Dawkins	Huddleston	Molette	Thomas
deGraffenried	Hunt	Money	Vacca
Dement	Jenkins	Nettles	Ward
DeSear	Johnson (Elmore)	Nice	

—87

And the bill:

S. 215. To regulate further the office of circuit solicitor of the Eighth Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

Was taken up.

Mr. Brewer offered the following amendment to the bill, S. 215:

**AMENDMENT TO SENATE BILL 215**

Amend Senate Bill 215 by changing the period at the end of the first sentence of Section 2, thereof to a comma and adding the following:

“except that such requisition for the payment of expenses shall not exceed the amount in said fund, and in no event shall said amount exceed One Thousand (\$1,000) in any one calendar year.

And the amendment was adopted.

Yeas 84; Nays 0.

**Yeas:**

Mr. Speaker	Ashworth	Bradford	Branyon
Albea	Boyd	Brannan	Brassell

Brewer	Goodwyn	Kirkham	Oden
Broadfoot	Gregory	Lackey	Payne
Brooks	Grouby	Lee (Lawrence)	Pirkle
Brown (Lee)	Hain	Locke (Choctaw)	Pruitt
Burkhalter	Hall	Locke (Perry)	Ramey
Cornett	Haltom	McClendon	Roberts
Cox	Hanby	McKay	Selman
Davis	Hare	McLendon	Shumate
Dawkins	Harrison	McNider	Simon
deGraffenried	Harvey	Martin	Solomon
Dement	Hawkins	Mathews	Speaks
DeSear	Holliman	Mathison	Steagall
Edwards (Escambia)	Huddleston	Meeks	Stembridge
Edwards (Jefferson)	Hunt	Merrill	Summerlin
Faulk	Jenkins	Money	Taylor
Ferrell	Johnson (Elmore)	Nettles	Thomas
Franklin	Kelly	Nice	Tyson
Gilchrist	Kendall	Nolen	Vacca
Gist	Killough	Oakley	

—84

And said bill, S. 215, as thus amended, was read a third time at length and passed.

Yeas 86; Nays 0.

#### Yeas:

Mr. Speaker	Edwards (Jefferson)	Kelly	Nice
Adams	Ferrell	Kendall	Nolen
Albea	Franklin	Killough	Oakley
Ashworth	Gilchrist	Kirkham	Oden
Bassett	Gist	Lackey	Payne
Boyd	Goodwyn	Law	Pirkle
Bradford	Gregory	Lee (Lawrence)	Pruitt
Brannan	Grouby	Locke (Choctaw)	Ramey
Brassell	Hain	Locke (Perry)	Roberts
Brewer	Hall	McClendon	Selman
Broadfoot	Haltom	McKay	Shumate
Brooks	Hanby	McLendon	Simon
Brown (Lee)	Hardy	McNider	Solomon
Burkhalter	Hare	Martin	Speaks
Callahan	Harrison	Mathews	Steagall
Cornett	Harvey	Mathison	Stembridge
Cox	Hawkins	Meeks	Summerlin
Dawkins	Holliman	Merrill	Taylor
deGraffenried	Huddleston	Molette	Tyson
Dement	Hunt	Money	Vacca
DeSear	Jenkins	Nettles	Ward
Edwards (Escambia)	Johnson (Elmore)		

—86

#### S. 314 INDEFINITELY POSTPONED

On motion of Mr. Dawkins, the bill, S. 314, was indefinitely postponed.

#### H. 863 POSTPONED

On motion of Mr. Callahan, consideration of the bill, H. 863, was postponed until the thirty-sixth legislative day.

And the bill:

S. 315. Relating to counties having a population of not less than 56,500 nor more than 72,500: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Was read a third time at length and passed.

Yeas 81; Nays 0.

**Yeas:**

Mr. Speaker	Faulk	Kelly	Nettles
Albea	Ferrell	Killough	Nice
Ashworth	Franklin	Kirkham	Nolen
Bassett	Gilchrist	Lackey	Oakley
Boyd	Gist	Law	Oden
Bradford	Gregory	Lee (Barbour)	Pirkle
Brannan	Grouby	Lee (Lawrence)	Pruitt
Branyon	Hain	Locke (Perry)	Ramey
Brassell	Haltom	Love	Selman
Brewer	Hanby	McClendon	Shumate
Broadfoot	Hardy	McKay	Simon
Brooks	Hare	McLendon	Solomon
Brown (Lamar)	Harrison	McNider	Speaks
Burkhalter	Harvey	Martin	Steagall
Callahan	Hawkins	Mathews	Stembridge
Cox	Holliman	Mathison	Summerlin
Dawkins	Huddleston	Meeks	Thomas
Dement	Hunt	Merrill	Tyson
DeSear	Jenkins	Molette	Vacca
Edwards (Escambia)	Johnson (Mimore)	Money	Ward
Edwards (Jefferson)			

—81

And the bill:

S. 317. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Was read a third time at length and passed.

Yeas 78; Nays 0.

**Yeas:**

Mr. Speaker	Bradford	Brooks	Cox
Albea	Brannan	Brown (Lamar)	deGraffenried
Ashworth	Branyon	Burkhalter	Dement
Bassett	Brassell	Callahan	DeSear
Boyd	Broadfoot	Cornett	Edwards (Escambia)

Edwards (Jefferson)	Huddleston	McNider	Pruitt
<del>Pauls</del>	<del>Hunt</del>	<del>Martin</del>	<del>Ramey</del>
Ferrell	Jenkins	Mathews	Selman
Franklin	Johnson (Elmore)	Mathison	Shumate
Gist	Kelly	Merrill	Simon
Gregory	Killough	Molette	Solomon
Hain	Kirkham	Money	Speaks
Hall	Lackey	Nettles	Steagall
Haltom	Law	Nice	Stembridge
Hanby	Lee (Lawrence)	Nolen	Summerlin
Hardy	Locke (Perry)	Oakley	Taylor
Harrison	Love	Oden	Thomas
Harvey	McClendon	Payne	Tyson
Hawkins	McKay	Pirkle	Vacca
Holliman	McLendon		

—78

And the bill:

S. 322. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Elmore)	Nettles
Adams	Faulk	Kelly	Nice
Albea	Ferrell	Killough	Nolen
Ashworth	Franklin	Kirkham	Oakley
Bassett	Gilchrist	Lackey	Oden
Boyd	Gist	Law	Payne
Bradford	Goodwyn	Lee (Barbour)	Pirkle
Brannan	Gregory	Lee (Lawrence)	Pruitt
Branyon	Grouby	Locke (Perry)	Ramey
Brassell	Hain	Love	Roberts
Brewer	Hall	McClendon	Selman
Broadfoot	Haltom	McKay	Shumate
Brooks	Hanby	McLendon	Simon
Brown (Lamar)	Hardy	McNider	Solomon
Callahan	Hare	Martin	Speaks
Cornett	Harrison	Mathews	Steagall
Cox	Harvey	Mathison	Stembridge
Dawkins	Hawkins	Meeks	Summerlin
deGraffenried	Huddleston	Merrill	Taylor
Dement	Hunt	Molette	Vacca
Edwards (Escambia)	Jenkins	Money	Ward

—84

And the bill:

S. 323. Relating to Talladega County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Ashworth	Boyd	Brannan
Albea	Bassett	Bradford	Branyon

Brassell	Hain	Lee (Lawrence)	Oden
Brewer	Haltom	Locke (Perry)	Payne
Broadfoot	Hanby	Love	Pirkle
Brooks	Hardy	McClendon	Pruitt
Brown (Lamar)	Hare	McKay	Ramey
Callahan	Harrison	McLendon	Selman
Cornett	Harvey	McNider	Shumate
Cox	Hawkins	Martin	Simon
deGraffenried	Huddleston	Mathews	Solomon
Dement	Hunt	Mathison	Speaks
DeSear	Jenkins	Meeks	Steagall
Edwards (Escambia)	Johnson (Elmore)	Merrill	Stembridge
Edwards (Jefferson)	Kelly	Molette	Summerlin
Ferrell	Killough	Money	Taylor
Franklin	Kirkham	Nettles	Tyson
Gilchrist	Lackey	Nice	Vacca
Gist	Law	Nolen	Ward
Gregory	Lee (Barbour)	Oakley	

—79

And the bill:

H. 933. Relating to Jackson County; abolishing the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and creating in lieu thereof the Jackson County Fine Forfeiture Fund; transferring funds in the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County to the Jackson County Fine and Forfeiture Fund; providing for the payment of existing claims against the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and for the payment of future claims which may arise against the Jackson County Fine and Forfeiture Fund; providing for the re-registration of existing claims against the general fine and forfeiture fund of Jackson County and barring existing claims that are not registered and existing claims that are not re-registered; making the circuit clerk the custodian of the Jackson County Fine and forfeiture Fund and fixing the compensation of the circuit clerk for his services rendered as custodian; providing for the appointment of a clerical assistant for the re-registration of claims against the general fine and forfeiture fund of Jackson County; providing for the transfer of surplus funds in the Jackson County Fine and Forfeiture Fund to the general fund of the county; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

**Yeas:**

Mr. Speaker	Cornett	Grouby	Johnson (Elmore)
Albea	Cox	Hain	Kelly
Ashworth	Crook	Haltom	Killough
Bassett	Dawkins	Hanby	Kirkham
Boyd	deGraffenried	Hardy	Lackey
Bradford	Dement	Hare	Lee (Lawrence)
Brannan	DeSear	Harrison	Locke (Perry)
Branyon	Edwards (Escambia)	Harvey	Love
Brassell	Edwards (Jefferson)	Hawkins	McClendon
Broadfoot	Ferrell	Holliman	McKay
Brooks	Franklin	Huddleston	McLendon
Brown (Lamar)	Gist	Hunt	McNider
Callahan	Gregory	Jenkins	Martin

Mathews	Nolen	Richardson	Steagall
Mathison	Oakley	Selman	Stembridge
Merrill	Oden	Shumate	Summerlin
Molette	Payne	Simon	Taylor
Money	Pirkle	Solomon	Vacca
Nettles	Pruitt	Speaks	Ward
Nice	Ramey		

—78

And the bill:

H. 958. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand not more than ninety-four thousand inhabitants according to the 1950 federal census, or any subsequent federal census.

Was taken up.

Mr. Hanby offered the following amendment to the bill, H. 958:

#### AMENDMENT TO H. B. 958

Amend Section 2 of the bill by adding the following words as subsection (c):

“(c) Judge of the County Court — sixty-six hundred dollars”.

Also amend the bill by striking out Section 6 and inserting the following in lieu thereof:

“Section 6. Subsections (a) and (b) of Section 2 of this Act shall become effective on October 1, 1955. Subsection (c) of Section 2 of this Act shall become effective on the first Monday after the second Tuesday in January, 1957.”

And the amendment was adopted.

Yeas 82; Nays 0.

#### Yeas:

Mr. Speaker	Edwards (Escambia)	Jenkins	Molette
Adams	Edwards (Jefferson)	Johnson (Elmore)	Money
Albea	Ferrell	Kelly	Nettles
Ashworth	Franklin	Killough	Nice
Bassett	Gilchrist	Kirkham	Nolen
Boyd	Gist	Lackey	Oakley
Bradford	Goodwyn	Law	Payne
Brannan	Gregory	Lee (Barbour)	Pirkle
Branyon	Grouby	Lee (Lawrence)	Ramey
Brassell	Hain	Locke (Perry)	Richardson
Brewer	Hall	Love	Selman
Broadfoot	Haltom	McClendon	Shumate
Brooks	Hanby	McKay	Solomon
Brown (Lamar)	Hardy	McLendon	Speaks
Callahan	Hare	McNider	Steagall
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Dawkins	Hawkins	Mathison	Thomas
deGraffenried	Holliman	Meeks	Vacca
Dement	Huddleston	Merrill	Ward
DeSear	Hunt		

—82

And said bill, H. 958, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

**Yeas:**

Mr. Speaker	DeSear	Jenkins	Molette
Adams	Edwards (Escambia)	Johnson (Elmore)	Money
Albea	Edwards (Jefferson)	Kelly	Nettles
Ashworth	Faulk	Killough	Nolen
Bassett	Ferrell	Kirkham	Oakley
Boyd	Franklin	Lackey	Oden
Bradford	Gilchrist	Lee (Lawrence)	Payne
Brannan	Gist	Locke (Choctaw)	Pirkle
Branyon	Gregory	Locke (Perry)	Ramey
Brassell	Grouby	Love	Selman
Brewer	Hain	McClendon	Shumate
Broadfoot	Haltom	McKay	Solomon
Brooks	Hanby	McLendon	Speaks
Brown (Lamar)	Hardy	McNider	Steagall
Callahan	Harrison	Martin	Stembridge
Cox	Harvey	Mathews	Summerlin
Crook	Hawkins	Mathison	Thomas
Dawkins	Holliman	Meeks	Vacca
deGraffenried	Huddleston	Merrill	Ward
Dement	Hunt		

—78

And the bill:

H. 959. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

**Yeas:**

Mr. Speaker	Dement	Hawkins	McNider
Adams	DeSear	Holliman	Mathews
Albea	Edwards (Escambia)	Huddleston	Mathison
Ashworth	Edwards (Jefferson)	Hunt	Meeks
Bassett	Faulk	Jenkins	Merrill
Boyd	Ferrell	Johnson (Elmore)	Molette
Bradford	Franklin	Kelly	Money
Brannan	Gilchrist	Kendall	Nettles
Branyon	Gist	Killough	Nice
Brassell	Goodwyn	Kirkham	Nolen
Brewer	Gregory	Lackey	Oakley
Broadfoot	Grouby	Lee (Barbour)	Oden
Brooks	Hain	Lee (Lawrence)	Payne
Brown (Lamar)	Hall	Locke (Choctaw)	Pirkle
Callahan	Haltom	Locke (Perry)	Pruitt
Cornett	Hanby	Love	Ramey
Cox	Hardy	McClendon	Richardson
Dawkins	Harrison	McKay	Selman
deGraffenried	Harvey	McLendon	Solomon



Speaks	Stembridge	Taylor	Vacca
Steagall	Summerlin	Thomas	Ward

—84

And the bill:

H. 975. To fix the salary of the deputy solicitor of Lamar County, and to prescribe the method of payment of such salary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nolen
Adams	Edwards (Jefferson)	Kelly	Oakley
Albea	Faulk	Killough	Oden
Ashworth	Ferrell	Kirkham	Payne
Bassett	Franklin	Lackey	Pirkle
Boyd	Gilchrist	Lee (Lawrence)	Pruitt
Bradford	Gist	Locke (Choctaw)	Ramey
Brannan	Goodwyn	Locke (Perry)	Richardson
Branyon	Gregory	Love	Selman
Brassell	Hain	McClendon	Shumate
Brewer	Hall	McKay	Solomon
Broadfoot	Haltom	McLendon	Speaks
Brooks	Hanby	McNider	Steagall
Brown (Lamar)	Hardy	Martin	Stembridge
Callahan	Harrison	Mathews	Summerlin
Cornett	Harvey	Mathison	Taylor
Cox	Hawkins	Merrill	Thomas
Dawkins	Holliman	Molette	Tyson
deGraffenried	Huddleston	Money	Vacca
Dement	Hunt	Nettles	Ward
DeSear	Jenkins	Nice	

—83

And the bill:

H. 976. To regulate the meetings of the county board of education of Lamar County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

**Yeas:**

Mr. Speaker	Callahan	Goodwyn	Johnson (Elmore)
Adams	Cornett	Gregory	Kelly
Albea	Cox	Hain	Killough
Ashworth	Dawkins	Hall	Kirkham
Bassett	deGraffenried	Haltom	Lackey
Boyd	Dement	Hanby	Law
Bradford	DeSear	Hardy	Lee (Lawrence)
Brannan	Edwards (Escambia)	Harrison	Locke (Choctaw)
Branyon	Edwards (Jefferson)	Harvey	Locke (Perry)
Brassell	Faulk	Hawkins	McClendon
Brewer	Ferrell	Holliman	McKay
Broadfoot	Franklin	Huddleston	McLendon
Brooks	Gilchrist	Hunt	McNider
Brown (Lamar)	Gist	Jenkins	Martin

Mathews	Nolen	Richardson	Stembridge
Mathison	Oakley	Roberts	Summerlin
Merrill	Oden	Selman	Taylor
Molette	Payne	Shumate	Tyson
Money	Pirkle	Solomon	Vacca
Nettles	Pruitt	Speaks	Ward
Nice	Ramey	Steagall	

—83

And the bill:

H. 981. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Shelby County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

**Yeas:**

Mr. Speaker	DeSear	Hunt	Nettles
Adams	Edwards (Escambia)	Jenkins	Nice
Albea	Edwards (Jefferson)	Johnson (Elmore)	Nolen
Ashworth	Faulk	Kelly	Oakley
Bassett	Ferrell	Kirkham	Payne
Boyd	Franklin	Lackey	Pirkle
Bradford	Gilchrist	Lee (Barbour)	Pruitt
Brannan	Gist	Lee (Lawrence)	Ramey
Branyon	Goodwyn	Locke (Choctaw)	Richardson
Brassell	Gregory	Locke (Perry)	Roberts
Brewer	Grouby	McClendon	Selman
Broadfoot	Hain	McKay	Shumate
Brooks	Hall	McLendon	Solomon
Brown (Lamar)	Haltom	McNider	Speaks
Callahan	Hanby	Martin	Steagall
Cornett	Hardy	Mathews	Stembridge
Cox	Harrison	Mathison	Summerlin
Crook	Harvey	Meeks	Thomas
Dawkins	Hawkins	Merrill	Tyson
deGraffenried	Holliman	Molette	Vacca
Dement	Huddleston	Money	Ward

—84

And the bill:

S. 332. Relating to the City of Huntsville in Madison County; to alter, rearrange, and extend the boundaries thereof.

Was read a third time at length and passed.

Yeas 86; Nays 0.

**Yeas:**

Mr. Speaker	Brassell	Dawkins	Gist
Adams	Brewer	deGraffenried	Goodwyn
Albea	Broadfoot	Dement	Gregory
Ashworth	Brooks	DeSear	Grouby
Bassett	Brown (Lamar)	Edwards (Escambia)	Hain
Boyd	Callahan	Edwards (Jefferson)	Hall
Bradford	Cornett	Faulk	Haltom
Brannan	Cox	Ferrell	Hanby
Branyon	Crook	Gilchrist	Hardy

Harrison	Lee (Lawrence)	Money	Shumate
Harvey	Locke (Choctaw)	Nettles	Solomon
Hawkins	Locke (Perry)	Nice	Speaks
Holliman	McClendon	Nolen	Steagall
Huddleston	McKay	Oakley	Stembridge
Hunt	McLendon	Payne	Stokes
Jenkins	McNider	Pirkle	Summerlin
Johnson (Elmore)	Martin	Pruitt	Taylor
Kelly	Mathews	Ramey	Thomas
Kendall	Mathison	Richardson	Tyson
Killough	Meeks	Roberts	Vacca
Lackey	Merrill	Selman	Ward
Lee (Barbour)	Molette		

—86

And the bill:

H. 956. Relating to Chilton County: To provide that the board of revenue, court of county commissioners, or like governing body of the county, or other public body having general jurisdiction of the county road system, shall be authorized and empowered to use or to authorize the use of county machinery, equipment, and property in the clearing and grading of building sites for new industries to be located within the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Yeas 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Kelly	Oakley
Albea	Ferrell	Kendall	Oden
Ashworth	Franklin	Killough	Payne
Bassett	Gilchrist	Lackey	Pirkle
Boyd	Gist	Lee (Barbour)	Pruitt
Bradford	Goodwyn	Lee (Lawrence)	Ramey
Brannan	Gregory	Locke (Choctaw)	Richardson
Branyon	Hain	Locke (Perry)	Selman
Brassell	Hall	McClendon	Shumate
Brewer	Haltom	McLendon	Solomon
Broadfoot	Hanby	McNider	Speaks
Brooks	Hardy	Mathews	Steagall
Brown (Lamar)	Harrison	Mathison	Stembridge
Burkhalter	Harvey	Meeks	Stokes
Callahan	Hawkins	Merrill	Summerlin
Cornett	Holliman	Molette	Thomas
Cox	Huddleston	Money	Tyson
Crook	Hunt	Nettles	Vacca
Dawkins	Jenkins	Nice	Ward
Edwards (Escambia)	Johnson (Elmore)	Nolen	

—79

And the bill:

H. 955. To establish a County Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a court reporter for said court and to fix and prescribe his duties and compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund of

said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the Chilton County Law and Equity Court of Chilton County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

**Yeas:**

Mr. Speaker	Edwards <sup>(Escambia)</sup>	Kendall	Oden
Albea	Edwards <sup>(Jefferson)</sup>	Killough	Payne
Ashworth	Faulk	Lackey	Pirkle
Bassett	Ferrell	Law	Pruitt
Boyd	Franklin	Lee <sup>(Lawrence)</sup>	Ramey
Bradford	Gilchrist	Locke <sup>(Choctaw)</sup>	Richardson
Brannan	Goodwyn	Locke <sup>(Perry)</sup>	Roberts
Branyon	Gregory	McClendon	Selman
Brassell	Grouby	McKay	Shumate
Brewer	Hain	McLendon	Solomon
Broadfoot	Hall	McNider	Speaks
Brooks	Halton	Martin	Steagall
Brown <sup>(Lamar)</sup>	Hanby	Mathison	Stembridge
Brown <sup>(Lee)</sup>	Hardy	Meeks	Stokes
Burkhalter	Harvey	Merrill	Summerlin
Callahan	Hawkins	Molette	Taylor
Cornett	Holliman	Money	Thomas
Cox	Huddleston	Nettles	Tyson
Crook	Hunt	Nice	Vacca
deGraffenried	Jenkins	Nolen	Ward
Dement	Johnson <sup>(Elmore)</sup>	Oakley	

—83

And the bill:

H. 977. To propose an amendment to the Constitution of Alabama relative to the industrial development of Marion County.

Was taken up.

Mr. Fite offered the following substitute for the bill, H. 977:

**SUBSTITUTE FOR H. B. 977**

**A BILL  
TO BE ENTITLED  
AN ACT**

To propose an amendment to the Constitution of Alabama relative to the industrial development of Marion County.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The following amendment of the Constitution of Alabama is proposed, and shall become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

**Proposed Amendment**

"Any provision of the constitution or laws of the state of Alabama to the contrary notwithstanding, Marion County shall have full and

continuing power and authority, without any election or approval other than the approval of its governing body, to do any one or more of the following:

"1. To purchase, construct, lease, or otherwise acquire real property, plants, buildings, factories, works, facilities, machinery and equipment of any kind.

"2. To lease, sell for cash or on credit, exchange, or give and convey any such property described in subdivision 1 above, to any person, firm, association or corporation.

"3. To promote local industrial, commercial or agricultural development and the location of new industries or businesses therein.

"4. To become a stockholder in any corporation, association or company.

"5. To lend its credit or to grant public moneys and things of value in aid of, or to, any individual, firm, association, or corporation whatsoever.

"6. To become indebted and to issue and sell interest-bearing bonds, warrants (which may be payable from funds to be realized in future years), notes or other obligations or evidences of indebtedness, to a principal amount not exceeding fifty percent of the assessed value of taxable property therein as determined for state taxation, in order to secure funds for the purchase, construction, lease or acquisition of any of the property described in subdivision 1 above or to be used in furtherance of any of the other powers or authorities granted in this amendment. Such obligations or evidences of indebtedness may (in addition to any pledge or pledges authorized by subdivision 8 of this amendment) be issued upon the full faith and credit of the county or may be limited as to the source of their payment.

"7. To levy and collect annually, in addition to all other taxes now authorized or permitted, a special tax or taxes of not exceeding two percent on the value of all taxable property therein as determined for state taxation, in the same manner as other county taxes are levied and collected. Such tax may be upon all property in Marion County or upon all property in any district the boundaries of which the governing body of such county shall describe and which it shall determine to be specially improved and benefited by any proposed use or expenditure of the proceeds of such tax.

"8. To construct a dam or system of dams, and to acquire a site or sites therefor, on any public stream flowing within the county for the purpose of impounding waters to be used in irrigation projects, or in generating hydroelectric power, or in providing recreational facilities, or for other purposes, and to accept any funds by way of gift, grant, or loan from the federal government, or any agency or instrumentality thereof, for the purpose of constructing such dam or system of dams.

"9. To pledge to the payment of any bonds, warrants, notes or other obligations or evidences of indebtedness the annual proceeds from any such special tax or taxes and to obligate itself irrevocably to continue to levy and collect such taxes annually until such obligations or evidences of indebtedness are paid in full and to pledge thereto any rental or sales proceeds of property leased or sold by it.

"10. To create a public authority or corporation having such powers, managed and governed by such board or governing body and subject to such limitations as the governing body of Marion County may impose, by approving and filing a certificate to that effect in the office

of the judge of probate or the secretary of state, or their respective successors in function, and to delegate to such public authority or corporation and its board or governing body all powers and authority conferred in this amendment upon the county.

"The recital in any bonds, warrants, notes or other obligations or evidences of indebtedness that they were issued pursuant to this amendment or that they were issued to provide funds to be used in furtherance of any power or authority herein authorized or that any special tax herein authorized has been pledged to the payment thereof shall be conclusive; no purchaser or holder thereof need inquire further; and the levy and collection of such tax shall continue until the principal of and interest on such obligations or evidences of indebtedness shall have been paid in full. The bonds, warrants, notes, or other obligations or evidences of indebtedness issued hereunder shall not be considered an indebtedness of Marion county for the purpose of determining the borrowing capacity of such county under section 224 of the constitution; and the taxes herein authorized shall be in addition to those provided for or permitted in section 215 of the constitution and all amendments thereto.

"This amendment shall be self-executing; but the legislature shall have the right and power by general, special or local act to adopt laws supplemental to this amendment or in furtherance of the purposes and objectives hereinabove set forth."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17, of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

And the substitute was adopted.

Yeas 82; Nays 0.

#### Yeas:

Mr. Speaker	Dement	Holliman	McNider
Adams	Edwards (Escambia)	Huddleston	Martin
Albea	Edwards (Jefferson)	Hunt	Mathews
Ashworth	Faulk	Jenkins	Mathison
Bassett	Ferrell	Johnson (Elmore)	Merrill
Boyd	Franklin	Kelly	Molette
Bradford	Gilchrist	Kendall	Money
Brannan	Gist	Killough	Nettles
Branyon	Goodwyn	Lackey	Nice
Brassell	Gregory	Law	Nolen
Brewer	Hain	Lee (Barbour)	Oakley
Brooks	Hall	Lee (Lawrence)	Oden
Brown (Lamar)	Haltom	Locke (Choctaw)	Payne
Brown (Lee)	Hanby	Locke (Perry)	Pirkle
Burkhalter	Hardy	Love	Ramey
Cox	Hare	McClendon	Roberts
Crook	Harvey	McKay	Selman
deGraffenried	Hawkins	McLendon	Shumate

Speaks	Stokes	Thomas	Vacca
<del>Stearns</del>	<del>Summerlin</del>	<del>Tyson</del>	<del>Ward</del>
Stembridge	Taylor		

—82

And said bill, H. 977, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

**Yeas:**

Messrs.	Edwards (Jefferson)	Killough	Nice
Adams	Ferrell	Lackey	Nolen
Albea	Franklin	Law	Oakley
Ashworth	Gilchrist	Lee (Barbour)	Oden
Bassett	Gist	Lee (Lawrence)	Payne
Boyd	Goodwyn	Locke (Choctaw)	Perry
Bradford	Gregory	Locke (Perry)	Pirkle
Brannan	Grouby	Love	Pruitt
Branyon	Hain	McClendon	Ramey
Brassell	Hall	McKay	Roberts
Brewer	Haltom	McLendon	Selman
Brooks	Hanby	McNider	Simon
Brown (Lamar)	Hardy	Martin	Speaks
Burkhalter	Harrison	Mathews	Steagall
Callahan	Harvey	Mathison	Stembridge
Cornett	Hawkins	Meeks	Stokes
Cox	Holliman	Merrill	Summerlin
Crook	Hunt	Molette	Taylor
deGraffenried	Jenkins	Money	Thomas
Dement	Johnson (Elmore)	Murphy	Vacca
DeSear	Kelly	Nettles	Ward
Edwards (Escambia)	Kendall		

—85

And the bill:

H. 979. To establish a county court of Marshall County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties, and compensations; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of Marshall County, Alabama and in the County Court for Marshall County as created by Act approved June 3, 1953, and to provide for the transfer of certain cases pending in said County Court of Marshall County, Alabama to the equity side of the Circuit Court of Marshall County, Alabama, and to provide for the taxing of fees and costs, and to repeal Act No. 51 of the regular session of 1953, approved June 3, 1953, creating the County Court for Marshall County, and to repeal Act No. 408 of the regular session of 1953, approved August 27, 1953 abolishing the criminal jurisdiction conferred by law upon justices of the peace in Marshall County and conferring the same upon the County Court for Marshall County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

**Yeas:**

Messrs.	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brassell

Brewer	Gregory	Lee (Barbour)	Oden
Brooks	Grouby	Lee (Lawrence)	Payne
Brown (Lamar)	Hain	Locke (Choctaw)	Pirkle
Brown (Lee)	Hall	Locke (Perry)	Ramey
Burkhalter	Haltom	Love	Richardson
Callahan	Hanby	McClendon	Roberts
Cornett	Hardy	McKay	Selman
Cox	Harrison	McLendon	Shumate
Crook	Harvey	McNider	Simon
Davis	Hawkins	Martin	Solomon
deGraffenried	Holliman	Mathews	Speaks
Dement	Huddleston	Mathison	Steagall
DeSear	Hunt	Meeks	Stembridge
Edwards (Escambia)	Jenkins	Merrill	Stokes
Edwards (Jefferson)	Johnson (Elmore)	Molette	Summerlin
Faulk	Kelly	Money	Taylor
Ferrell	Killough	Nettles	Thomas
Franklin	Kirkham	Nice	Tyson
Gilchrist	Lackey	Nolen	Vacca
Gist	Law	Oakley	Ward
Goodwyn			

—88

And the bill:

H. 957. To extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

**Yeas:**

Messrs.	Edwards (Jefferson)	Kelly	Nice
Albea	Faulk	Kendall	Nolen
Ashworth	Ferrell	Killough	Oakley
Bassett	Franklin	Kirkham	Oden
Boyd	Gilchrist	Lackey	Payne
Bradford	Gist	Law	Pirkle
Branyon	Goodwyn	Lee (Barbour)	Ramey
Brassell	Gregory	Lee (Lawrence)	Roberts
Brewer	Hain	Locke (Choctaw)	Selman
Broadfoot	Hall	Locke (Perry)	Shumate
Brooks	Haltom	McClendon	Simon
Brown (Lamar)	Hanby	McKay	Solomon
Burkhalter	Hardy	McLendon	Speaks
Callahan	Harrison	McNider	Steagall
Cornett	Harvey	Martin	Stembridge
Cox	Hawkins	Mathews	Stokes
Crook	Holliman	Mathison	Summerlin
Davis	Huddleston	Merrill	Taylor
deGraffenried	Hunt	Molette	Thomas
Dement	Jenkins	Money	Vacca
Edwards (Escambia)	Johnson (Elmore)	Nettles	Ward

—83

And the bill:

H. 954. Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction, and duties of the board; providing for the qualifications, election, term,



powers, duties, authority, compensation, and ~~traveling expenses of the~~  
members of the board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

**Yeas:**

Messrs.	Faulk	Kendall	Nolen
Albea	Ferrell	Killough	Oakley
Ashworth	Franklin	Kirkham	Oden
Bassett	Gilchrist	Lackey	Payne
Boyd	Gist	Law	Pirkle
Bradford	Goodwyn	Lee (Lawrence)	Ramey
Brassell	Gregory	Locke (Perry)	Richardson
Brewer	Grouby	Love	Roberts
Broadfoot	Hain	McClendon	Selman
Brooks	Hall	McKay	Shumate
Brown (Lamar)	Hanby	McLendon	Solomon
Burkhalter	Hardy	McNider	Speaks
Callahan	Harrison	Martin	Steagall
Cornett	Harvey	Mathews	Stembridge
Cox	Hawkins	Mathison	Stokes
Crook	Holliman	Meeks	Summerlin
Davis	Huddleston	Merrill	Taylor
deGraffenried	Hunt	Molette	Thomas
Dement	Jenkins	Money	Vacca
Edwards (Escambia)	Johnson (Elmore)	Nettles	Ward
Edwards (Jefferson)	Kelly	Nice	

—83

**And the bill:**

H. 980. Requiring that all Justices of the Peace and all Notaries Public-Ex Officio Justice of the Peace or other officer trying misdemeanor criminal cases in Marshall County, Alabama, other than in the County or Circuit Courts of said County shall be required to report to the Clerk of the Circuit Court of said County, on forms furnished by said Clerk on the first day of each month all fines and forfeitures assessed or collected in such courts, showing the name of the defendant, the number of the case on the docket of such officer, the charge, the date of conviction or making final of such forfeiture, together with the amount thereof and showing the amount remitted, without any deductions therefrom for any reason whatsoever; and to require such officer to produce in the office of the Clerk of said Court at such times of making such report and/or remittance their dockets to be audited by such Clerk; to require such officer to also deliver to said Clerk such dockets one week in advance of the regular meeting of the Grand Jury of said County to be by said Clerk delivered to said Grand Jury; making a violation of this Act a misdemeanor and fixing penalties for the violation of this Act; and providing that all such fines and forfeitures collected by said Clerk from such officer, or any of them, shall be by said Clerk paid into the Fine and Forfeiture Fund of Marshall County, Alabama, regardless of the offense which defendant was charged with, and fixing the compensation to said Clerk for performing his duties under the provisions of this Act; to repeal all laws in conflict with this Act; providing when this Act shall take effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

**Yeas:**

<b>Messrs.</b>	Faulk	Kendall	Nice
Albea	Ferrell	Killough	Nolen
Ashworth	Franklin	Kirkham	Oakley
Bassett	Gilchrist	Lackey	Oden
Boyd	Gist	Law	Payne
Bradford	Goodwyn	Lee (Lawrence)	Pirkle
Branyon	Gregory	Lee (Barbour)	Ramey
Brassell	Grouby	Locke (Choctaw)	Richardson
Brewer	Hain	Locke (Perry)	Selman
Brooks	Hall	Love	Shumate
Brown (Lamar)	Haltom	McClendon	Solomon
Burkhalter	Hanby	McKay	Speaks
Callahan	Hardy	McLendon	Steagall
Cornett	Hare	McNider	Stembridge
Cox	Harrison	Martin	Stokes
Crook	Harvey	Mathews	Summerlin
Davis	Hawkins	Mathison	Taylor
deGraffenried	Holliman	Merrill	Thomas
Dement	Huddleston	Molette	Tyson
DeSear	Hunt	Money	Vacca
Edwards (Escambia)	Jenkins	Nettles	Ward
Edwards (Jefferson)	Johnson (Elmore)		

—85

And the bill:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections, and to fix their compensation and the manner of payment thereof.

Was taken up.

Mr. Meeks offered the following amendment to the bill, H. 963:

**AMENDMENT TO H. B. 963**

Amend House Bill 963 by striking therefrom all of Section 7 thereof except the first two sentences of said Section 7.

Also amend H. B. 963 by striking from the Caption thereof the words: "and to fix their compensation and the manner of payment thereof."

Also amend Section 2 of H. B. 963 by striking therefrom the words "or territory" wherever the same appear therein.

And the amendment was adopted.

Yeas 86; Nays 0.

**Yeas:**

Messrs.	Faulk	Kaul	Nice
Albea	Ferrell	Kelly	Nolen
Ashworth	Franklin	Kendall	Oakley
Bassett	Gilchrist	Killough	Oden
Boyd	Gist	Kirkham	Payne
Bradford	Goodwyn	Lackey	Perry
Brannan	Gregory	Lee (Barbour)	Pirkle
Branyon	Grouby	Lee (Lawrence)	Ramey
Brassell	Hain	Locke (Choctaw)	Richardson
Brewer	Hall	Locke (Perry)	Selman
Broadfoot	Haltom	Love	Shumate
Brooks	Hanby	McClendon	Simon
Brown (Lamar)	Hardy	McKay	Solomon
Burkhalter	Hare	McLendon	Speaks
Callahan	Harrison	McNider	Steagall
Cornett	Harvey	Martin	Stembridge
Cox	Hawkins	Mathews	Stokes
Davis	Holliman	Mathison	Summerlin
deGraffenried	Huddleston	Merrill	Thomas
Dement	Hunt	Molette	Vacca
Edwards (Escambia)	Jenkins	Money	Ward
Edwards (Jefferson)	Johnson (Elmore)	Nettles	

—86

And said bill, H. 963, as thus amended, was read a third time at length and passed.

Yeas 87; Nays 0.

**Yeas:**

Messrs.	Edwards (Jefferson)	Kaul	Nettles
Albea	Faulk	Kelly	Nice
Ashworth	Ferrell	Kendall	Nolen
Bassett	Franklin	Killough	Oakley
Boyd	Gilchrist	Kirkham	Oden
Bradford	Gist	Lackey	Payne
Brannan	Goodwyn	Lee (Barbour)	Perry
Branyon	Gregory	Lee (Lawrence)	Pirkle
Brassell	Grouby	Locke (Choctaw)	Pruitt
Brewer	Hain	Locke (Perry)	Ramey
Broadfoot	Hall	Love	Selman
Brooks	Haltom	McClendon	Shumate
Brown (Lamar)	Hanby	McKay	Simon
Burkhalter	Hardy	McLendon	Speaks
Callahan	Hare	McNider	Steagall
Cornett	Harrison	Martin	Stembridge
Cox	Harvey	Mathews	Stokes
Davis	Hawkins	Mathison	Summerlin
deGraffenried	Holliman	Meeks	Thomas
Dement	Hunt	Merrill	Vacca
DeSear	Jenkins	Molette	Ward
Edwards (Escambia)	Johnson (Elmore)	Money	

—87

And the bill:

H. 964. To amend Section 5 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 345, approved August 15, 1947, (General Acts of the Legislature of Alabama of 1947, pages 222-229).

Was taken up.

Mr. Meeks offered the following amendment to the bill, H. 964:

#### AMENDMENT TO HOUSE BILL 964

Amend Section 1 of House Bill 964 by adding to subsection (6) of the amendment to "Section 5", after the words "of the largest city subject to this Act in such county" the following words:

"in each division of the county having a separate court house,"

Also, amend said subsection (6) by striking therefrom the last sentence in said subsection (6).

Also, amend H. B. 964 by striking from Section 1 lines 3 and 4 from the bottom of page 5 of said bill, the following words:

"unless he be an officer or employee of a county or municipality".

And the amendment was adopted.

Yeas 83; Nays 0.

#### Yeas:

Messrs.	DeSear	Jenkins	Money
Albea	Edwards (Escambia)	Johnson (Elmore)	Nettles
Ashworth	Edwards (Jefferson)	Kaul	Nice
Bassett	Faulk	Kendall	Nolen
Boyd	Ferrell	Kirkham	Oakley
Bradford	Franklin	Law	Oden
Erannan	Gilchrist	Lee (Barbour)	Payne
Branyon	Gist	Lee (Lawrence)	Perry
Brassell	Goodwyn	Locke (Choctaw)	Pirkle
Brewer	Gregory	Locke (Perry)	Ramey
Broadfoot	Grouby	Love	Richardson
Brooks	Hain	McClendon	Selman
Brown (Lamar)	Hall	McKay	Shumate
Burkhalter	Haltom	McLendon	Simon
Callahan	Hanby	McNider	Solomon
Cornett	Hardy	Martin	Speaks
Cox	Hare	Mathews	Steagall
Davis	Harvey	Mathison	Stokes
Dawkins	Hawkins	Meeks	Summerlin
deGraffenried	Holliman	Merrill	Thomas
Dement	Hunt	Molette	Vacca

—83

And said bill, H. 964, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

#### Yeas:

Messrs.	Ashworth	Bradford	Brassell
Adams	Bassett	Brannan	Brewer
Albea	Boyd	Branyon	Broadfoot

Brooks	Grouby	Law	Nettles
Brown (Lamar)	Hain	Lee (Barbour)	Nolen
Burkhalter	Hall	Lee (Lawrence)	Oakley
Callahan	Haltom	Locke (Choctaw)	Oden
Cornett	Hanby	Locke (Perry)	Payne
Cox	Hardy	Love	Perry
Dawkins	Hare	McClendon	Pirkle
deGraffenried	Harvey	McKay	Ramey
Dement	Hawkins	McLendon	Richardson
DeSear	Holliman	McNider	Selman
Edwards (Escambia)	Huddleston	Martin	Shumate
Edwards (Jefferson)	Hunt	Mathews	Solomon
Faulk	Jenkins	Mathison	Speaks
Ferrell	Johnson (Elmore)	Meeks	Steagall
Franklin	Kaul	Merrill	Stokes
Gilchrist	Kendall	Molette	Summerlin
Gist	Kirkham	Money	Thomas
Goodwyn	Lackey		

—81

And the bill:

H. 962. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts 1951, Page 1579).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

**Yeas:**

Messrs.	Edwards (Jefferson)	Johnson (Elmore)	Nettles
Albea	Faulk	Kaul	Nice
Ashworth	Ferrell	Kirkham	Nolen
Bassett	Franklin	Lackey	Oakley
Boyd	Gilchrist	Law	Oden
Bradford	Gist	Lee (Lawrence)	Payne
Brannan	Goodwyn	Locke (Choctaw)	Perry
Branyon	Gregory	Locke (Perry)	Pirkle
Brassell	Hain	Love	Ramey
Brewer	Hall	McClendon	Richardson
Broadfoot	Haltom	McKay	Selman
Brown (Lamar)	Hanby	McLendon	Shumate
Burkhalter	Hardy	McNider	Simon
Callahan	Hare	Mathews	Solomon
Cornett	Harvey	Mathison	Speaks
Cox	Hawkins	Meeks	Steagall
Dawkins	Holliman	Merrill	Steagall
deGraffenried	Huddleston	Molette	Summerlin
Dement	Hunt	Money	Vacca
Edwards (Escambia)	Jenkins		

—77

And the bill:

H. 965. To fix the salary of the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama (Jefferson County) and to regulate the payment of the same.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

**Yeas:**

Messrs.	Faulk	Johnson (Elmore)	Money
Albea	Ferrell	Kaul	Nettles
Ashworth	Franklin	Kendall	Nice
Bassett	Gilchrist	Killough	Nolen
Boyd	Gist	Kirkham	Oakley
Bradford	Goodwyn	Lackey	Oden
Brannan	Gregory	Law	Payne
Branyon	Grouby	Lee (Lawrence)	Perry
Brassell	Hain	Locke (Choctaw)	Pirkle
Brewer	Hall	Locke (Perry)	Ramey
Broadfoot	Haltom	Love	Richardson
Brooks	Hanby	McKay	Selman
Brown (Lamar)	Hardy	McLendon	Shumate
Burkhalter	Hare	McNider	Solomon
Cornett	Hawkins	Martin	Speaks
Davis	Hodges	Mathews	Steagall
deGraffenried	Holliman	Mathison	Stembridge
Dement	Huddleston	Meeks	Stokes
DeSear	Hunt	Merrill	Summerlin
Edwards (Escambia)	Jenkins	Molette	Vacca
Edwards (Jefferson)			

—80

**And the bill:**

H. 973. To require all county officers on a salary basis in counties having a population of four hundred thousand (400,000) or more, according to the last or any subsequent Federal Census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices; and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

**Yeas:**

Messrs	Cornett	Grouby	Killough
Albea	Davis	Hain	Kirkham
Ashworth	Dawkins	Hall	Lackey
Bassett	deGraffenried	Haltom	Law
Boyd	Dement	Hanby	Lee (Lawrence)
Bradford	DeSear	Hardy	Locke (Choctaw)
Brannan	Edwards (Escambia)	Hawkins	Locke (Perry)
Branyon	Edwards (Jefferson)	Hodges	McKay
Brassell	Faulk	Holliman	McLendon
Brewer	Ferrell	Huddleston	McNider
Broadfoot	Franklin	Hunt	Martin
Brooks	Gilchrist	Jenkins	Mathews
Brown (Lamar)	Gist	Johnson (Elmore)	Mathison
Burkhalter	Goodwyn	Kaul	Meeks
Callahan	Gregory	Kendall	Merrill

Molette	Oden	Selman	Stembridge
Money	Payne	Shumate	Stokes
Nettles	Perry	Solomon	Summerlin
Nice	Pirkle	Speaks	Taylor
Nolen	Ramey	Steagall	Vacca
Oakley			

—80

And the bill:

H. 971. To provide for the compensation to be paid the Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama who is elected by the people and the Assistant Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama by counties having a population of 500,000 or more according to the last or any succeeding decennial federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

**Yeas:**

Messrs.	Faulk	Killough	Nice
Albea	Ferrell	Kirkham	Nolen
Ashworth	Franklin	Lackey	Oakley
Bassett	Gist	Law	Oden
Boyd	Goodwyn	Lee (Lawrence)	Payne
Bradford	Gregory	Locke (Choctaw)	Pirkle
Brannan	Grouby	Locke (Perry)	Ramey
Branyon	Hain	Love	Richardson
Brassell	Hall	McClendon	Selman
Brooks	Haltom	McKay	Shumate
Brown (Lamar)	Hanby	McLendon	Solomon
Burkhalter	Hare	McNider	Speaks
Callahan	Hawkins	Martin	Steagall
Cornett	Hodges	Mathews	Stembridge
Davis	Holliman	Mathison	Stokes
deGraffenried	Hunt	Meeks	Summerlin
Dement	Jenkins	Merrill	Taylor
DeSear	Johnson (Elmore)	Money	Vacca
Edwards (Escambia)	Kaul	Nettles	Ward
Edwards (Jefferson)	Kendall		

—77

And the bill:

H. 967. Relating to Jefferson County: To abolish the Inferior Court of Leeds and provide for the transfer and disposition of the pending causes and judgments of the Inferior Court of Leeds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

**Yeas:**

Messrs.	Brannan	Callahan	Edwards (Jefferson)
Adams	Branyon	Cornett	Faulk
Albea	Brassell	Davis	Ferrell
Ashworth	Broadfoot	deGraffenried	Franklin
Bassett	Brooks	Dement	Gist
Boyd	Brown (Lamar)	DeSear	Goodwyn
Bradford	Burkhalter	Edwards (Escambia)	Gregory

Grouby	Killough	Mathews	Richardson
Hain	Kirkham	Mathison	Selman
Hall	Lackey	Meeks	Shumate
Haltom	Law	Merrill	Simon
Hanby	Lee (Barbour)	Molette	Solomon
Hardy	Lee (Lawrence)	Money	Speaks
Hare	Locke (Choctaw)	Nettles	Steagall
Hawkins	Locke (Perry)	Nice	Stembridge
Hodges	Love	Nolen	Summerlin
Holliman	McClendon	Oakley	Taylor
Huddleston	McKay	Oden	Thomas
Hunt	McLendon	Perry	Tyson
Jenkins	McNider	Pirkle	Vacca
Johnson (Elmore)	Martin	Ramey	Ward
Kaul			

—86

And the bill:

H. 966. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of 200,000 inhabitants or more according to the last or any succeeding federal census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

**Yeas:**

Messrs.	Faulk	Kendall	Nolen
Albea	Ferrell	Killough	Oakley
Ashworth	Franklin	Kirkham	Oden
Bassett	Gist	Lackey	Payne
Boyd	Goodwyn	Law	Perry
Bradford	Gregory	Lee (Barbour)	Pirkle
Brannan	Grouby	Lee (Lawrence)	Ramey
Branyon	Hain	Locke (Choctaw)	Selman
Brassell	Hall	Love	Shumate
Broadfoot	Haltom	McClendon	Simon
Brooks	Hanby	McKay	Solomon
Brown (Lamar)	Hardy	McLendon	Speaks
Burkhalter	Harvey	McNider	Steagall
Callahan	Hawkins	Martin	Stembridge
Cornett	Hodges	Mathews	Stokes
Davis	Holliman	Mathison	Summerlin
deGraffenried	Huddleston	Merrill	Taylor
Dement	Hunt	Molette	Thomas
DeSear	Jenkins	Money	Tyson
Edwards (Escambia)	Johnson (Elmore)	Nettles	Vacca
Edwards (Jefferson)	Kaul	Nice	

And the bill:

—82

H. 974. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 200,-



000 according to the last or any succeeding Federal or municipal census; ~~to provide the method by which any such city may adopt the Mayor-Council form of government;~~ to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; To provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Was taken up.

Mr. Meeks offered the following amendment to the bill, H. 974:

#### AMENDMENT TO HOUSE BILL 974

Amend House Bill 974 as follows:

Add the word "Article" immediately before the Roman Numeral IV on page 10 of said bill; also

Amend Section 4.01 on page 10 of said bill to read as follows:

"4.01. The mayor, election, term, qualification. — The first mayor shall be elected at the same election at which the councilmen are elected under the provisions of Section 1.07 of this Act and shall hold office until the second Tuesday in November of that year ending in an odd number which would give him a term of office most closely approximating four years and until his successor is elected and qualified. The first mayor shall qualify and take office in the manner hereinafter prescribed on the second Monday following the date of election of all nine councilmen is completed or on the second Monday following the election of such mayor whichever last occurs. The regular election for mayor shall be held on the second Tuesday in October of the year during which the term of the first mayor elected hereunder terminates and every four years thereafter. The mayor elected at any such regular election, shall, on or before the second Tuesday of November following his election qualify by making oath that he is eligible for said office and will execute the duties of same according to the best of his knowledge and ability. Said oath may be administered by any person authorized to administer an oath under the laws of Alabama. At any election for mayor the candidate receiving the highest number of votes for the office shall be elected thereto, provided such candidate receives a majority of all votes cast for such office. If at the first election a majority is not received by any candidate for the office of mayor, then a second election shall be held on the third Tuesday thereafter in the same mode and manner and under the same rules and regulations

provided in Section 1.07 hereof with respect to the election of the first mayor."

Also add the words "and the mayor" immediately after the words "member of the council" in the first sentence of Section 7.10 on page 24 of said House Bill 974.

And the amendment was adopted.

Yeas 78; Nays 0.

**Yeas:**

Messrs.	Edwards (Jefferson)	Johnson (Elmore)	Nettles
Albea	Faulk	Kaul	Nice
Ashworth	Ferrell	Killough	Nolen
Bassett	Franklin	Kirkham	Oakley
Boyd	Gilchrist	Lackey	Oden
Bradford	Gist	Law	Payne
Brannan	Goodwyn	Lee (Lawrence)	Perry
Branyon	Gregory	Locke (Choctaw)	Pirkle
Brassell	Grouby	Love	Ramey
Broadfoot	Hain	McClendon	Selman
Brooks	Hall	McKay	Shumate
Brown (Lamar)	Haltom	McLendon	Simon
Burkhalter	Hanby	McNider	Solomon
Callahan	Hardy	Martin	Speaks
Cornett	Hawkins	Mathews	Steagall
Davis	Hodges	Mathison	Stembridge
deGraffenried	Holliman	Meeks	Stokes
Dement	Huddleston	Merrill	Summerlin
DeSear	Hunt	Molette	Vacca
Edwards (Escambia)	Jenkins	Money	

—78

And said bill, H. 974, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

**Yeas:**

Messrs.	DeSear	Huddleston	Mathison
Adams	Edwards (Escambia)	Hunt	Meeks
Albea	Edwards (Jefferson)	Jenkins	Merrill
Ashworth	Faulk	Johnson (Elmore)	Molette
Bassett	Ferrell	Kaul	Money
Boyd	Franklin	Kendall	Nettles
Bradford	Gilchrist	Killough	Nice
Brannan	Gist	Kirkham	Nolen
Branyon	Goodwyn	Lackey	Oakley
Brassell	Gregory	Law	Oden
Broadfoot	Grouby	Lee (Barbour)	Payne
Brooks	Hain	Lee (Lawrence)	Perry
Brown (Lamar)	Hall	Locke (Choctaw)	Pirkle
Burkhalter	Haltom	Love	Ramey
Callahan	Hanby	McClendon	Selman
Cornett	Hardy	McKay	Shumate
Crook	Harrison	McLendon	Simon
Davis	Harvey	McNider	Solomon
deGraffenried	Hodges	Martin	Speaks
Dement	Holliman	Mathews	Steagall

Stembridge Summerlin Vacca Ward  
 Stokes Thomas

—86

And the bill:

H. 968 (with amendment). To alter, rearrange, and increase the boundaries of the City of Fairfield, Alabama, Jefferson County, Alabama.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said committee amendment being as follows:

LOCAL LEGISLATION NO. 2 COMMITTEE AMENDMENT TO  
 H. B. NO. 968

Amend H. B. No. 968 by striking therefrom Section 2 and inserting in lieu thereof the following:

"Section 2. That this Act shall take effect October 3, 1955 after its passage and approval by the Governor."

On motion of Mr. Meeks the amendment reported by the Standing Committee on Local Legislation No. 2 was laid upon the table.

Mr. Meeks offered the following substitute for the bill, H. 968:

SUBSTITUTE FOR H. B. 968

A BILL  
 TO BE ENTITLED  
 AN ACT

To Alter, Rearrange, and Increase the Boundaries of the City of Fairfield, Alabama, Jefferson County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Fairfield in the County of Jefferson, State of Alabama, shall be altered and rearranged and increased so as to include therein, in addition to the lands now included, the following described property, to-wit:

Begin at the northeast corner of the South-West quarter of North-East quarter of Section 13, Township 18 South, Range 4 West; thence in a westerly direction along the north boundary of said South-West quarter of North-East quarter which is the present corporate boundary of the City of Fairfield to intersection with the northwest boundary of former right of way from North Bessemer Car Line of Birmingham Electric Company which ran from Birmingham to Bessemer; thence in a general southwesterly direction, along said boundary of former right of way which is the present corporate boundary of the City of Fairfield to intersection with a line parallel with and 150.0 feet northeast of the center line of High Line Ore Tract of United States Steel Corporation; thence in a northwesterly direction along said parallel line which is the present corporate boundary of the City of Fairfield to intersection with the northerly boundary of the public road leading from Powderly to Brighton; thence in a westerly direction along said northerly boundary of road which is the present corporate boundary of the City of Fairfield to intersection with the corporate boundary of the City of Midfield; thence in a southeasterly direction along said corporate boundary of the City of Midfield to the south boundary of said road;

thence east along the south side of said road which is the present corporate boundary of the City of Midfield to intersection with the south right of way line of said North Bessemer Car Line; thence in a general northeasterly direction along said boundary of right of way which is the present corporate boundary of the City of Midfield to intersection with the south boundary of the South-West quarter of Section 13; thence in an easterly direction along south boundary which is present corporate boundary of the City of Midfield to the point on said south boundary of the South-West quarter of said Section 13, where the southwestwardly projection of the southeast side of the alley traversing Block 1 of the Survey of Belwood as recorded in the Bessemer Office of the Judge of Probate of Jefferson County, Alabama, intersects said south boundary of the South West quarter of said Section 13, thence in a Northeasterly direction along the said projection of the South-East side of the alley traversing said Block 1, and along the southeast side of said alley to the point where said south-east side of said alley intersects the East boundary of the South-East quarter of the South-west quarter of said Section 13, thence in a northerly direction along said East boundary of the Southeast quarter of the South-West quarter of said Section 13, which is the present corporate boundary of the City of Midfield to the South-West corner of the North-west quarter of the South-east quarter of said Section 13, thence in an easterly direction along the South boundary of said North-West quarter of the South-East quarter which is the present corporate boundary of said City of Midfield to the point of intersection of said South boundary of the North-west quarter of the South-east quarter with the South-east side of said alley traversing Block 1, said Survey of Belmont, thence in a North-easterly direction along the South-east side of said alley and along the North-easterly projection of said South-east side of said alley to the point where the North-easterly projection of said South-east side of said alley intersects the East boundary of the said North-west quarter of the South-east quarter which is the present corporate boundary of the City of Midfield, thence in a Northerly direction along the East boundary of said North-west quarter of the South-east quarter to the North-east corner of said North-west quarter of South-East quarter; thence in an easterly direction along the south boundary of the South-East quarter of North-East quarter of said Section 13 to the point of intersection of said South boundary and the southwest line of the Buck property as described in the deed recorded in Deed Book 560, Page 361, in the Bessemer Office of the Judge of Probate of Jefferson County, Alabama; thence run in a north-westerly direction along said southwest line of said Buck Property and the projection of said southwest line which is the present corporate boundary of the City of Birmingham to intersection with the east boundary of said South-West quarter of North-East quarter of Section 13; thence in a northerly direction along said east boundary, which is the present corporate boundary of the City of Birmingham, to the point of beginning, and to include all property in the areas inside of this new boundary line.

Such boundaries of said City other than changed by including the above described property shall remain as at present and the said territory included in said City shall remain as at present, except that in addition thereto, shall be included in the above described property.

Section 2. That this act shall become and be effective October 2, 1955 and after the date of its passage.

And the substitute was adopted.

Yeas 83; Nays 0.

**Yeas:**

Messrs.

Adams

Albea

Ashworth

Bassett	Ferrell	Killough	Nice
Boyd	Franklin	Kirkham	Nolen
Bradford	Gist	Lackey	Oakley
Brannan	Goodwyn	Law	Oden
Branyon	Gregory	Lee (Lawrence)	Payne
Brassell	Grouby	Locke (Choctaw)	Perry
Brewer	Hain	Locke (Perry)	Pirkle
Brooks	Hall	Love	Ramey
Brown (Lamar)	Haltom	McClendon	Shumate
Burkhalter	Hanby	McKay	Simon
Callahan	Hardy	McLendon	Solomon
Cornett	Harvey	McNider	Speaks
Crook	Hawkins	Martin	Steagall
Davis	Hodges	Mathews	Stembridge
deGraffenried	Holliman	Mathison	Stokes
Dement	Hunt	Meeks	Summerlin
DeSear	Jenkins	Merrill	Thomas
Edwards (Escambia)	Johnson (Elmore)	Molette	Tyson
Edwards (Jefferson)	Kaul	Money	Vacca
Faulk	Kendall	Nettles	Ward

—83

And said bill, H. 968, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

**Yeas:**

Messrs.	Faulk	Kaul	Nice
Adams	Ferrell	Kendall	Nolen
Albea	Franklin	Kirkham	Oakley
Ashworth	Gilchrist	Lackey	Oden
Bassett	Gist	Lee (Lawrence)	Payne
Boyd	Goodwyn	Locke (Choctaw)	Perry
Bradford	Gregory	Locke (Perry)	Pirkle
Brannan	Grouby	Love	Ramey
Branyon	Hain	McClendon	Shumate
Brassell	Hall	McKay	Simon
Brewer	Haltom	McLendon	Solomon
Brown (Lamar)	Hanby	McNider	Speaks
Burkhalter	Hardy	Martin	Steagall
Callahan	Harvey	Mathews	Stembridge
Cornett	Hawkins	Mathison	Stokes
Davis	Hodges	Meeks	Summerlin
deGraffenried	Holliman	Merrill	Thomas
Dement	Huddleston	Molette	Tyson
DeSear	Hunt	Money	Vacca
Edwards (Escambia)	Jenkins	Nettles	Ward
Edwards (Jefferson)	Johnson (Elmore)		

—81

And the bill:

H. 970 (with amendment). Relating to the municipality of the Town of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Graysville.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said committee amendment being as follows:

## LOCAL LEGISLATION NO. 2 COMMITTEE AMENDMENT TO H. B. 970

Amend H. B. No. 970 by striking there from Section 2 and inserting in lieu thereof the following:

"Section 2. This Act shall take effect October 3, 1955, after its passage and approval by the Governor."

On motion of Mr. Meeks the amendment reported by the Standing Committee on Local Legislation No. 2 was laid upon the table.

Mr. Meeks offered the following amendment to the bill, H. 970:

## AMENDMENT TO HOUSE BILL NO. 970

Amend House Bill No. 970 by striking Section 2 as it now appears in said Bill, and adding Section 2, 3, 4, 5, 6, 7, 8, and 9, as follows:

Section 2. During the hours between eight o'clock A. M. and six o'clock P. M., on the first Tuesday after the expiration of forty days after the date upon which this act become effective, an election shall be held by the qualified electors residing within the territory described in Section 1 hereof which is to be annexed to said town. Said election shall be held to determine whether or not a majority of the electors residing within the territory above described, to be annexed to said town favor the annexation to said town of said territory. Not less than ten days nor more than twenty days before the date on which said election is to be held the Judge of Probate of Jefferson County, Alabama, shall give notice of the holding of such election by publication in a daily newspaper published in Jefferson County, Alabama, which notice shall state the date on which said election is to be held, the voting place, the boundaries within which electors must reside to vote at the said voting place and said notice shall give a description of the territory to be annexed to said town and the names and addresses of the inspectors, clerks, and returning officer appointed for said election.

Section 3. The Judge of Probate of Jefferson County, Alabama, shall designate a voting place within said territory for said election and shall appoint three inspectors of election, two clerks and one returning officer for said voting place, which inspectors shall manage the election at said voting place.

Section 4. Each qualified elector who has resided within the boundaries of the territory hereby annexed to said town for three months next preceding the election may vote at said election but must vote at the voting place designated for said election.

Section 5. Said election shall be conducted in all respects as provided by the general election laws and under the same sanction and penalties, except as changed by the provisions of this Act and except that an official ballot need not be provided. There shall be no voting by absentee ballot.

Section 6. Each voter may furnish his own ballot with the following words written or printed thereon:

"For Annexation" if he desires to vote in favor of annexing the territory to said town, or

"Against Annexation" if he desires to vote against annexing the territory to said town. It shall not be necessary for the ballot to be of any particular size, form or color. Voting shall be by paper ballot.

Section 7. The inspectors at said voting place, as soon as the polls are closed, ascertain and certify the results of the election at said

voting place to the Judge of Probate of such county and deliver the same to the returning officer, who must at once return the same to the said Judge of Probate, and said Judge must canvass the return made by the inspectors, and if it appears that a majority of the votes cast at the election were "for annexation" the said Judge shall make and enter an order on the records of said Probate Court recording such fact and from the time of the entry of such order this Act shall be fully effective and the boundaries of said town of Graysville shall be as above set forth. If it appears that a majority of the votes cast at the election are "against annexation" the Judge of Probate shall make and enter an order on the records of said court recording such fact, and this Act shall not be effective, and the boundaries of said town shall not be altered and extended as provided by this Act.

Section 8. The Probate Judge shall be entitled to the same fees for his services performed under the provisions hereof as he is authorized by law to charge and collect for similar services rendered by him, and all other officers shall be entitled to the same compensation for services rendered by them, as they are authorized by law to charge and collect for similar services rendered by them, and said town of Graysville shall pay all such costs and expenses.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the amendment was adopted.

Yeas 81; Nays 0.

**Yeas:**

Messrs.	deGraffenried	Hunt	Nettles
Adams	Dement	Jenkins	Nice
Albea	DeSear	Johnson (Elmore)	Nolen
Ashworth	Edwards (Escambia)	Kaul	Oakley
Bassett	Edwards (Jefferson)	Kirkham	Oden
Boyd	Faulk	Lackey	Payne
Bradford	Ferrell	Law	Perry
Brannan	Franklin	Lee (Barbour)	Pirkle
Branyon	Gilchrist	Lee (Lawrence)	Pruitt
Brassell	Gist	Locke (Choctaw)	Ramey
Brewer	Goodwyn	Locke (Perry)	Simon
Broadfoot	Gregory	Love	Solomon
Brooks	Hain	McClendon	Speaks
Brown (Lamar)	Hall	McKay	Steagall
Burkhalter	Halton	McNider	Stembridge
Callahan	Hanby	Martin	Stokes
Cornett	Hardy	Mathews	Summerlin
Cox	Harrison	Mathison	Thomas
Crook	Hawkins	Meeks	Vacca
Davis	Holliman	Molette	Ward
Dawkins	Huddleston	Money	

—81

And said bill, H. 970, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

**Yeas:**

Messrs.	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Branyon	Gilchrist	Kirkham	Nice
Brassell	Gist	Lackey	Nolen
Brewer	Goodwyn	Law	Oakley
Broadfoot	Gregory	Lee (Barbour)	Oden
Brooks	Grouby	Lee (Lawrence)	Payne
Brown (Lamar)	Hain	Locke (Choctaw)	Perry
Callahan	Hall	Locke (Perry)	Pirkle
Cornett	Haltom	Love	Ramey
Cox	Hanby	McClendon	Selman
Davis	Hardy	McKay	Simon
Dawkins	Harrison	McLendon	Speaks
deGraffenried	Hawkins	McNider	Steagall
Dement	Holliman	Martin	Stembridge
DeSear	Huddleston	Mathews	Stokes
Edwards (Escambia)	Hunt	Mathison	Summerlin
Edwards (Jefferson)	Jenkins	Meeks	Thomas
Faulk	Johnson (Elmore)	Molette	Tyson
Ferrell	Kaul	Money	Vacca
Franklin	Kendall	Nettles	Ward

—83

And the bill:

S. 300. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Messrs.	Edwards (Escambia)	Johnson (Elmore)	Molette
Adams	Edwards (Jefferson)	Kendall	Money
Albea	Faulk	Kirkham	Nettles
Ashworth	Ferrell	Lackey	Nolen
Bassett	Gilchrist	Law	Oakley
Boyd	Gist	Lee (Barbour)	Oden
Bradford	Goodwyn	Lee (Lawrence)	Payne
Brannan	Gregory	Locke (Choctaw)	Pirkle
Branyon	Grouby	Locke (Perry)	Ramey
Brassell	Hain	Love	Selman
Brewer	Hall	McClendon	Shumate
Brooks	Haltom	McKay	Speaks
Brown (Lamar)	Hanby	McLendon	Steagall
Burkhalter	Hardy	McNider	Stembridge
Callahan	Harrison	Martin	Summerlin
Cornett	Harvey	Mathews	Thomas
Cox	Hawkins	Mathison	Vacca
Davis	Hodges	Meeks	Ward
deGraffenried	Hunt	Merrill	

—75

And the bill:

S. 319. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Was read a third time at length and passed.



Yeas 76; Nays 0.

**Yeas:**

Messrs.	deGraffenried	Jenkins	Money
Adams	Edwards (Escambia)	Johnson (Elmore)	Nettles
Albea	Edwards (Jefferson)	Kendall	Nolen
Ashworth	Faulk	Killough	Oakley
Bassett	Ferrell	Kirkham	Oden
Boyd	Franklin	Lackey	Payne
Bradford	Gilchrist	Law	Pirkle
Brannan	Gist	Lee (Barbour)	Ramey
Branyon	Goodwyn	Lee (Lawrence)	Selman
Brassell	Gregory	Locke (Choctaw)	Shumate
Brewer	Grouby	Locke (Perry)	Speaks
Broadfoot	Hain	Love	Steagall
Brooks	Hall	McClendon	Stembridge
Brown (Lamar)	Haltom	McKay	Stokes
Burkhalter	Hanby	McNider	Summerlin
Callahan	Harrison	Martin	Taylor
Cornett	Hawkins	Mathews	Thomas
Cox	Hodges	Meeks	Vacca
Davis	Huddleston	Merrill	Ward
Dawkins	Hunt		

—76

**MOTION ADOPTED**

The motion of Mr. Hain to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 626, was adopted.

And the bill:

H. 626 (with amendment). Relating to the management of public records of the state, or any political subdivision thereof; providing for the photographing or microphotographing of public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers, and for the defrayment of the cost incurred for the purchase or lease of photographic or microphotographic equipment; and creating a state records commission and a county records commission to regulate the destruction or disposal of public records.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

**AMENDMENT OF H. B. 626**

Add the following after the last sentence in Section 1: Provided, however, that the provisions of this Act shall not apply to the State Department of Public Welfare, the State Health Department, the State Board of Health, the State Department of Industrial Relations, or to any other office, court, commission, board, institution, department, or agency of the State which is otherwise authorized by law to provide for the photographing or microphotographing of its records.

And the amendment was adopted.

Yeas 90; Nays 0.

**Yeas:**

Messrs.	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Branyon	Franklin	Lackey	Oden
Brassell	Gilchrist	Law	Payne
Brewer	Gist	Lee (Barbour)	Perry
Broadfoot	Goodwyn	Lee (Lawrence)	Pirkle
Brooks	Gregory	Locke (Choctaw)	Pruitt
Brown (Lamar)	Grouby	Locke (Perry)	Ramey
Brown (Lee)	Hain	Love	Richardson
Burkhalter	Hall	McClendon	Roberts
Callahan	Haltom	McKay	Selman
Cornett	Hanby	McLendon	Shumate
Cox	Hardy	McNider	Solomon
Crook	Harrison	Martin	Speaks
Davis	Harvey	Mathison	Steagall
Dawkins	Hawkins	Meeks	Stembridge
deGraffenried	Huddleston	Merrill	Stokes
Dement	Hunt	Molette	Summerlin
DeSear	Jenkins	Money	Taylor
Edwards (Escambia)	Johnson (Elmore)	Nettles	Thomas
Edwards (Jefferson)	Kaul	Nice	Vacca
Faulk	Kendall	Nolen	Ward
Ferrell	Killough	Oakley	

—90

And said bill, H. 626, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 1.

#### Yeas:

Messrs.	Dement	Hunt	Nettles
Adams	DeSear	Jenkins	Nice
Ashworth	Edwards (Escambia)	Johnson (Elmore)	Nolen
Bassett	Edwards (Jefferson)	Kaul	Oakley
Boyd	Faulk	Kendall	Oden
Bradford	Ferrell	Killough	Payne
Brannan	Franklin	Lackey	Perry
Branyon	Gilchrist	Law	Pirkle
Brassell	Gist	Lee (Barbour)	Pruitt
Brewer	Goodwyn	Lee (Lawrence)	Richardson
Broadfoot	Gregory	Locke (Choctaw)	Roberts
Brooks	Grouby	Locke (Perry)	Selman
Brown (Lamar)	Hain	Love	Shumate
Brown (Lee)	Hall	McClendon	Solomon
Burkhalter	Haltom	McLendon	Speaks
Callahan	Hanby	McNider	Steagall
Cornett	Hardy	Martin	Stembridge
Cox	Harrison	Mathews	Stokes
Crook	Harvey	Mathison	Summerlin
Davis	Hawkins	Meeks	Thomas
Dawkins	Holliman	Merrill	Vacca
deGraffenried	Huddleston	Molette	Ward

—88

Nays: Mr. McKay.

—1

#### RECESS

On motion of Mr. Dawkins the House recessed until 1:30 o'clock this afternoon.

#### AFTERNOON SESSION

The hour of 1:30 o'clock P. M. having arrived, the House reconvened.

**REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

**RANKIN FITE,**  
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

**BILLS ON THIRD READING RESUMED**

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Was again taken up.

Mr. Dawkins offered the following substitute for the bill, H. 206:

**SUBSTITUTE FOR H. B. 206**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. That for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses"

shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries, equipment purchases and additions and betterments and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs and items of general expense not defined as "equipment purchases", and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment, motor vehicle equipment and other equipment which has an appreciable and calculable period of usefulness in excess of one year, and the money appropriated therefor shall be expended only for such purposes; (d) "additions and betterments" shall mean lands and buildings and the construction and alteration of structures and improvements thereto, improvements to land, sewer, water, shelter, support, storage, protection or the improvement of a natural condition, and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1956 and September 30, 1957, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor.

#### FROM THE GENERAL FUND

##### I. EXECUTIVE:

###### The Governor's Office:

For the salary of the Governor .....	\$ 12,000.00
For the salary of the Legal Counsel .....	9,000.00
For other salaries .....	75,700.00
For other expenses .....	16,650.00
<b>Total .....</b>	<b>113,350.00</b>
For the Governor's Emergency Fund—To be expended at the direction of the Governor .....	100,000.00
For the Mansion Fund .....	60,000.00

##### II. LEGISLATIVE:

For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses for the fiscal year ending September 30, 1956, and for the salaries and expenses of the Legislature for extraordinary sessions .....	300,000.00
For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for any expenses for any legislative ses-	

sions for the fiscal year ending September 30, 1957 .....

1,000,000.00

For printing of Legislative Acts and Journals for the fiscal year ending September 30, 1956, estimated .....

75,000.00

### III. JUDICIAL:

#### (1) THE SUPREME COURT:

For the salaries of the Chief Justice and six Associate Justices .....	84,000.00
For the salary of the Clerk of the Court .....	6,000.00
For the salary of the Court Reporter.....	6,000.00
For other salaries .....	79,460.00
For other expenses .....	13,540.00
For equipment purchases .....	6,000.00

Total .....	195,000.00
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For the Supreme Court Library Fund.....	10,000.00
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#### (2) THE COURT OF APPEALS:

For salaries of the three judges.....	34,500.00
For other salaries .....	31,200.00
For other expenses .....	4,162.50
For equipment purchases .....	500.00

Total .....	70,362.50
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#### (3) THE CIRCUIT COURTS:

For the salaries of the judges of the Circuit Courts, estimated .....	484,500.00
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For travel expenses of circuit judges.....	7,500.00
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For telephone service, stationery, stamps, and necessary equipment for the office use of circuit judges .....	10,000.00
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For the salaries and travel expenses of special judges, estimated .....	4,000.00
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For salaries of thirty-three circuit solicitors .....	231,000.00
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For salary of the elected deputy circuit solicitor of the Bessemer Division of the 10th Judicial Circuit.....	6,000.00
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For the salary of the appointed assistant deputy solicitor of the Bessemer Division of the 10th Judicial Circuit .....	3,600.00
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For the salary of the first deputy solicitor of the Birmingham Division of the 10th Judicial Circuit.....	5,700.00
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For the salaries of the second and third deputy solicitors of the Birmingham Division of the 10th Judicial Circuit .....	10,000.00
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For the salaries of the fourth, fifth and sixth deputy solicitors of the Birmingham Division of the 10th Judicial Circuit; \$4,000.00 each .....	12,000.00	
For the salary of the deputy circuit solicitor of the 6th Judicial Circuit.....	4,500.00	
For the salaries of the deputy circuit solicitors of the 13th Judicial Circuit..	10,800.00	
For the salary of the deputy circuit solicitor of the 15th Judicial Circuit .....	7,800.00	
For the salary of the deputy circuit solicitors of the 16th Judicial Circuit .....	6,000.00	
For the salary of the deputy circuit solicitor of the 23rd Judicial Circuit .....	4,200.00	
Total .....		309,200.00
For the travel expenses of circuit solicitors .....		6,000.00
For telephone service, stationery, stamps, and necessary equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants .....		20,000.00
For salary of supernumerary circuit solicitors, estimated .....		8,000.00
(4) COURT REPORTERS:		
For the compensation of the circuit court reporters, estimated .....		87,600.00
(5) SUPERNUMERARY JUDGES:		
For salaries of supernumerary judges, estimated .....		40,000.00
(6) SUPERNUMERARY JUSTICES:		
For expenses of supernumerary Justices of Supreme Court .....		3,600.00
IV. CONSTITUTIONAL OFFICES:		
(1) OFFICE OF THE ATTORNEY GENERAL:		
For the salary of the Attorney General .....	10,000.00	
For other salaries .....	116,500.00	
For other expenses .....	20,000.00	
For equipment purchases .....	3,500.00	
Total .....		150,000.00
(2) OFFICE OF THE STATE AUDITOR:		
For the salary of the State Auditor.....	6,000.00	

For other salaries .....	21,500.00	
For other expenses .....	2,250.00	
For equipment purchases .....	500.00	

Total .....		30,250.00
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## (3) OFFICE OF THE SECRETARY OF STATE:

For the salary of the Secretary of State .....	6,000.00	
For other salaries .....	22,000.00	
For other expenses .....	6,000.00	
For equipment purchases .....	1,000.00	
Total .....		35,000.00

## (4) OFFICE OF THE STATE TREASURER:

For the fiscal year ending September 30, 1956:		
For the salary of the State Treasurer.....	6,000.00	
For other salaries .....	66,826.00	
For other expenses and compensation of fiscal agents .....	19,450.00	
For equipment purchases .....	12,724.00	
Total .....		105,000.00
For the fiscal year ending September 30, 1957:		
For the salary of the State Treasurer .....	6,000.00	
For other salaries .....	67,836.00	
For other expenses and compensation of fiscal agents .....	19,664.00	
For equipment purchases .....	500.00	
Total .....		94,000.00

## V. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:

## (1) DEPARTMENT OF ARCHIVES AND HISTORY:

For the salary of the Director .....	7,500.00	
For other salaries .....	50,500.00	
For other expenses .....	8,000.00	
For equipment purchases .....	1,000.00	
For expenses of publication of the Alabama Historical Quarterly .....	3,000.00	
Total .....		70,000.00

For expenses of printing Statistical Register for the fiscal year ending September 30, 1956 .....	5,000.00
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## (1-A) PUBLIC LIBRARY SERVICE DIVISION:

For salaries .....	31,000.00	
For other expenses .....	11,000.00	
For books and pamphlets .....	67,000.00	
For equipment purchases .....	2,000.00	
<b>Total</b> .....		111,000.00

## (2) BUILDING COMMISSION:

For salaries, other expenses and equipment purchases (For expenditure pursuant to Act No. 128, 1945 Regular Session, as amended) .....	50,000.00
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## (3) DEPARTMENT OF CIVIL DEFENSE:

For the salary of the Director .....	10,000.00	
For other salaries .....	25,000.00	
For other expenses .....	13,000.00	
For equipment purchases .....	2,000.00	
<b>Total</b> .....		50,000.00

## (4) DEPARTMENT OF COMMERCE:

For the salary of the Director .....	10,000.00	
For other salaries .....	102,000.00	
For other expenses .....	35,000.00	
For equipment purchases .....	3,000.00	
<b>Total</b> .....		150,000.00

## (5) DEPARTMENT OF EXAMINER OF PUBLIC ACCOUNTS:

For the fiscal year ending September 30, 1956:		
For the salary of the Chief Examiner ..	10,000.00	
For other salaries .....	377,000.00	
For other expenses .....	135,000.00	
For equipment purchases .....	3,000.00	
<b>Total</b> .....		525,000.00
For the fiscal year ending September 30, 1957:		
For the salary of the Chief Examiner ..	10,000.00	
For other salaries .....	377,000.00	
For other expenses .....	130,500.00	
For equipment purchases .....	7,500.00	
<b>Total</b> .....		525,000.00

## (6) DEPARTMENT OF FINANCE:

## Director's Office:

For the salary of the Director .....	10,000.00
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## REGULAR SESSION

1629

For other salaries .....	21,300.00	
For other expenses .....	6,937.50	
For equipment purchases .....	6,600.00	

Total .....		44,837.50
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## Division of the Budget:

For salaries .....	28,716.00
For other expenses .....	5,000.00
For equipment purchases .....	4,000.00

Total .....	37,716.00
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## Division of Control and Accounts:

For salaries .....	98,628.00
For other expenses .....	39,543.00
For equipment purchases .....	3,500.00

Total .....	141,671.00
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## Legal Division:

For salaries, other expenses and equip- ment purchases .....	15,470.00
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## Division of Purchases and Stores:

For salaries .....	61,624.00
For other expenses .....	9,000.00
For equipment purchases .....	1,000.00

Total .....	71,624.00
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## Division of Service:

For salaries .....	165,000.00
For other expenses .....	153,000.00
For equipment purchases .....	10,000.00

Total .....	328,000.00
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For equipment purchases in the State Offices for the Executive, Admini- strative and Judicial Departments...	25,000.00
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Total .....	664,318.50
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## (7) DEPARTMENT OF HEALTH:

## (a) For General Health Work:

For the salary of the State Health Officer .....	10,000.00
For other salaries .....	475,000.00
For other expenses .....	115,000.00

Total .....	600,000.00
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(b) For study and treatment of cancer...	100,000.00
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(c) For contributions to County Health Units .....	375,000.00
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## (d) For Hospital Planning:

For salaries .....	22,000.00
For other expenses .....	4,000.00

Total .....	26,000.00
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(e) For Mental Hygiene:		
For salaries .....	16,800.00	
For other expenses .....	13,200.00	
Total .....		30,000.00
(f) For Mental Health:		
For Mental Health Clinic for north-east Alabama located in Etowah County .....		7,000.00
University of Alabama Medical School for instruction in clinical psychology and psychiatry .....		18,000.00
(g) For Pollution Control:		
For salaries .....	32,500.00	
For other expenses .....	14,900.00	
For equipment purchases .....	2,600.00	
Total .....		50,000.00
(h) For the Administration of Tuberculosis Hospitals:		
For salaries .....	14,000.00	
For other expenses .....	6,000.00	
Total .....		20,000.00
(i) For subsidy to counties for treatment of tuberculosis .....		1,314,000.00
(j) For Tuberculosis Testing:		
For salaries .....	37,500.00	
For other expenses .....	32,500.00	
For equipment purchases .....	30,000.00	
Total .....		100,000.00
(k) For Venereal Disease Control:		
For salaries .....	30,000.00	
For other expenses .....	20,000.00	
Total .....		50,000.00
Total .....		2,690,000.00
(8) INDUSTRIAL DEVELOPMENT BOARD:		
For salary of Director .....	10,000.00	
For salaries .....	102,980.00	
For other expenses .....	30,600.00	
For equipment purchases .....	22,500.00	
Total .....		166,080.00
(9) DEPARTMENT OF INDUSTRIAL RELATIONS:		
For salaries .....	115,000.00	
For other expenses .....	34,500.00	

For equipment purchases ..... 500.00

Total ..... 150,000.00

(10) DEPARTMENT OF INSURANCE:

For the fiscal year ending September  
30, 1956:

For the salary of the Director ..... 10,000.00  
For other salaries ..... 98,788.00  
For other expenses ..... 48,900.00  
For equipment purchases ..... 6,880.00

Total ..... 164,568.00

For the fiscal year ending September  
30, 1957:

Salary of Director ..... 10,000.00  
For other salaries ..... 111,360.00  
For other expenses ..... 50,800.00  
For equipment purchases ..... 4,600.00

Total ..... 176,760.00

(11) STATE LABOR DEPARTMENT:

For the fiscal year ending September  
30, 1956:

For the salary of the Director ..... 7,500.00  
For other salaries ..... 31,928.00  
For other expenses ..... 13,612.00  
For equipment purchases ..... 1,960.00

Total ..... 55,000.00

For the fiscal year ending September  
30, 1957:

For the salary of the Director ..... 7,500.00  
For other salaries ..... 31,928.00  
For other expenses ..... 13,072.00  
For equipment purchases ..... 2,500.00

Total ..... 55,000.00

(12) LEGISLATIVE REFERENCE SERVICE:

For the fiscal year ending September  
30, 1956:

For the salary of the Director ..... 9,000.00  
For other salaries ..... 32,304.00  
For other expenses ..... 3,996.00  
For equipment purchases ..... 1,200.00

Total ..... 46,500.00

For the fiscal year ending September  
30, 1957:

For the salary of the Director ..... 9,000.00  
For other salaries ..... 33,004.00

For other expenses .....	3,996.00	
For equipment purchases .....	500.00	
Total .....		46,500.00
For Legislative Council .....		3,100.00

## (13) MILITARY DEPARTMENT:

For the salary of the Adjutant General ..	10,000.00	
For other salaries .....	140,000.00	
For other expenses .....	30,000.00	
For equipment purchases .....	5,000.00	
For Quarterly Allowances .....	203,000.00	
For transfer to the Armory Commission for care and maintenance of ar- mories .....	300,000.00	
For Active Military Service .....	50,000.00	
Total .....		738,000.00
For other salaries — conditional upon the condition of the treasury and with the approval of the Governor ..	40,000.00	
For other expenses — conditional upon the condition of the treasury and with the approval of the Governor ..	25,000.00	
For Active Military Service — condi- tional upon the condition of the treasury and with the approval of the Governor .....	25,000.00	
Total conditional .....		90,000.00

## (14) PERSONNEL DEPARTMENT:

For transfer to the Personnel Depart- ment:		
For the fiscal year ending September 30, 1956 .....		18,117.00
For the fiscal year ending September 30, 1957 .....		18,611.00

## (15) DEPARTMENT OF PUBLIC SAFETY:

For the fiscal year ending September 30, 1956:		
For the salary of the Director .....	10,000.00	
For other salaries .....	1,850,000.00	
For other expenses .....	659,750.00	
For equipment purchases .....	150,000.00	
Total .....		2,669,750.00
For the fiscal year ending September 30, 1957:		
For the salary of the Director .....	10,000.00	
For other salaries .....	1,875,000.00	
For other expenses .....	659,750.00	
For equipment purchases .....	150,000.00	
Total .....		2,694,750.00

**(16) DEPARTMENT OF PUBLIC WELFARE:**

For transfer to Department of Public Welfare for the support, maintenance and operation of the functions of Public Welfare .....	3,677,000.00
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Conditional upon the condition of the Treasury and with the approval of the Governor .....	2,500,000.00
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For research and indigent care in nutritional and related subjects .....	100,000.00
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It is provided that not more than twenty-seven and one-half percentum of the appropriations hereinabove made shall be allotted in any one quarter of a fiscal year.

**(17) BUREAU OF PUBLICITY AND INFORMATION:**

For salaries .....	14,520.00	
For other expenses .....	14,400.00	
For equipment purchases .....	5,000.00	
For tourist advertising .....	50,000.00	
<b>Total</b> .....		83,920.00

**(18) STATE PLANNING BOARD:**

For salaries .....	33,000.00	
For other expenses .....	17,000.00	
<b>Total</b> .....		50,000.00

**(19) DEPARTMENT OF REVENUE:**

For salaries, operation and maintenance expense:		
For the fiscal year ending September 30, 1956 .....		315,738.00
For the fiscal year ending September 30, 1957 .....		322,200.00
For expenses incident to the Equalization Boards .....		130,000.00

**(20) STATE BOARD OF ADJUSTMENT:**

For expenditures by the Board payable from General Fund for the General Fund contribution to the total expenditure of \$150,000.00 pursuant to Title 55, Section 343 .....	10,000.00
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**(21) STATE SECURITIES COMMISSION:**

For salaries .....	9,760.00	
For other expenses .....	740.00	
<b>Total</b> .....		10,500.00

## (22) SOCIAL SECURITY:

For the fiscal year ending September  
30, 1956:

## Administrative:

For salaries .....	14,436.00
For other expenses .....	5,775.00

Total .....	20,211.00
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For the fiscal year ending September  
30, 1957:

## Administrative:

For salaries .....	14,772.00
For other expenses .....	4,885.00

Total .....	19,757.00
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## (23) STATE TOXICOLOGIST:

For the salary of the State Toxicologist..	10,000.00
For other salaries .....	79,000.00
For other expenses .....	20,000.00
For equipment purchases .....	11,000.00

Total .....	120,000.00
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## (24) DEPARTMENT OF VETERANS' AFFAIRS:

For salary of Service Commissioner.....	9,000.00
For other salaries .....	314,300.00
For other expenses .....	33,950.00
For equipment purchases .....	3,500.00
For contract with Veterans of Foreign Wars Organization .....	20,000.00
For contract with Disabled American Veterans Organization .....	5,000.00

Total .....	385,750.00
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VI. DEVELOPMENT AND CONSERVATION  
OF NATURAL RESOURCES:

## (1) DEPARTMENT OF CONSERVATION:

## (a) State Parks Fund:

For salaries and other expenses in-  
cident to the operation and  
maintenance of State Parks,  
and the Division of State Parks,  
Monuments and Historical  
Sites and for administration of  
Department of Conservation .....

86,810.00

For salaries and other expenses in-  
cident to the operation and  
maintenance of State Parks,  
and the Division of State Parks,  
Monuments and Historical Sites  
and for administration of De-  
partment of Conservation con-

ditional upon the condition of  
the treasury and with the ap-  
proval of the Governor.....

200,000.00

## (b) Forestry Fund:

For salaries and other expenses in-  
cident to the operation of the  
Division of Forestry and for  
administration of Department  
of Conservation .....

250,000.00

For salaries and other expenses in-  
cident to the operation of the  
Division of Forestry and for  
administration of Department  
of Conservation conditional up-  
on the condition of the treasury  
and with the approval of the  
Governor .....

200,000.00

## (c) State Lands Fund:

For salaries and other expenses in-  
cident to the operation of the  
Division of State Lands; and  
for administration of Depart-  
ment of Conservation .....

25,000.00

## (2) GEOLOGICAL SURVEY:

For the fiscal year ending September  
30, 1956:

For the salary of the State Geologist .....	9,100.00
For other salaries .....	59,103.00
For other expenses .....	39,293.00
For equipment purchases .....	2,000.00

For matching Federal funds for the in- vestigation of the surface water re- sources of the State .....	27,500.00
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For matching Federal funds for the in- vestigation of the ground water re- sources of the State .....	30,000.00
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Total .....	167,000.00
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For the fiscal year ending September  
30, 1957:

For salary of the State Geologist .....	9,100.00
For other salaries .....	61,864.00
For other expenses .....	24,536.00
For equipment purchases .....	2,000.00

For matching Federal funds for the in- vestigation of the surface water re- sources of the State .....	27,500.00
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For matching Federal funds for the in- vestigation of the ground water re-	
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sources of the State .....	30,000.00
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Total .....	155,000.00
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## (3) STATE SOIL CONSERVATION COMMITTEE:

For salaries .....	9,000.00
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For other expenses .....	10,500.00
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For equipment purchases .....	500.00
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Total .....	20,000.00
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## VII. EDUCATION:

## (1) INTEREST ON ENDOWMENTS:

For interest on Alabama College Endowment, estimated .....	40,000.00
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For interest on Alabama Polytechnic Institute Endowment .....	20,280.00
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For interest on University of Alabama Endowment .....	61,000.00
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For interest on Grove Hill Endowment .....	600.00
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For interest on Public School Fund Endowments:	
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Interest on 16th section lands, estimated .....	173,659.00
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Interest on school indemnity lands, estimated .....	31,596.81
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Interest on valueless 16th section lands .....	5,825.47
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Interest on surplus revenue .....	26,763.47
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Interest on James Wallace Fund .....	275.25
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Total .....	360,000.00
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## VIII. HOSPITALS AND CORRECTIONAL FUNCTIONS:

## (1) BOARD OF CORRECTIONS:

For transfer to Board of Corrections for salaries of the employees of the Board .....	1,275,000.00
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For transfer to Board of Corrections for additions and betterments .....	100,000.00
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## (2) ALABAMA INSANE HOSPITALS:

For the support, maintenance and repair of Alabama Insane Hospitals, an amount to be fixed by the Governor at not less than \$6.00 per week nor more than \$13.50 per weeks, for each patient,	
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For the fiscal year ending September 30, 1956, estimated .....	5,284,628.00
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For the fiscal year ending September 30, 1957, estimated .....	5,436,344.00
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Conditional upon the condition of the <del>treasury and with the approval of the</del> Governor, an amount not in excess of \$1.00 per week for each patient,	
For the fiscal year ending September 30, 1956, estimated .....	391,456.00
For the fiscal year ending September 30, 1957, estimated .....	402,688.00
For training Psychiatric Nurses .....	25,000.00
(3) PARTLOW STATE SCHOOL FOR MENTAL DEFICIENTS:	
For the support, maintenance and re- pair of the Partlow State School for Mental Deficients, an amount to be fixed by the Governor at not less than \$6.00 per week nor more than \$13.50 per week for each pa- tient,	
For the fiscal year ending September 30, 1956, estimated .....	982,800.00
For the fiscal year ending September 30, 1957, estimated .....	1,017,900.00
Conditional upon the condition of the treasury and with the approval of the Governor, an amount not in excess of \$1.00 per week for each patient,	
For the fiscal year ending September 30, 1956, estimated .....	72,800.00
For the fiscal year ending September 30, 1957, estimated .....	75,400.00
(4) REMOVAL OF PRISONERS:	
For expenses incident to removal of prisoners, estimated .....	20,000.00
(5) FEEDING OF PRISONERS:	
For expenses of feeding prisoners in county jails, estimated .....	375,000.00
(6) ARREST OF ABSCONDING FELONS:	
For expenses incident to the arrest of absconding felons, estimated .....	1,000.00
(7) BOARD OF PARDONS AND PAROLES:	
For salaries of Board Members .....	22,500.00
For other salaries .....	209,786.00
For other expenses .....	41,500.00
For equipment purchases .....	6,214.00
Total .....	280,000.00

## IX. DEBT SERVICE:

- (1) For interest on Class A. Renewal and  
Class C. Renewal and Funding Re-

newal Bonds for the fiscal year ending September 30, 1956 .....	302,385.00
(2) For Hospital Construction Bond Sinking Fund for the fiscal year ending September 30, 1956 .....	214,178.00
(3) For Hospital Construction Bond Sinking Fund for the fiscal year ending September 30, 1957 .....	213,730.00
(4) For interest on Spanish American War Veterans Fund, estimated .....	294.86

#### X. MISCELLANEOUS:

(1) For advertising lands for tax sale, estimated .....	5,000.00
(2) Alabama Agricultural and Industrial Exhibit Commission .....	25,000.00
(3) For payment of Attorneys fees in indigent capital cases (as provided in Act No. 176, 1947 Acts, page 61)...	22,500.00
(4) Automatic Appeal Expenses as provided in 1943 Acts of Legislature, page 217, estimated .....	3,500.00
(5) Cahaba Historical Commission: To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 442 .....	500.00
(6) For civil court costs in connection with ad valorem tax assessment appeals, estimated .....	1,000.00
(7) For court costs to be paid by the State of Alabama not otherwise provided for, estimated .....	1,000.00
(8) For distribution of public documents, estimated .....	3,000.00
(9) Departmental Emergency Fund .....	150,000.00
(This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section)	
(10) Employees' Special Pension Fund: For the fiscal year ending September 30, 1956 .....	60,000.00
For the fiscal year ending September 30, 1957 .....	65,000.00
(11) Gorgas Memorial Board:	
To provide for the expenditures authorized by Act No. 417, 1943 Acts, page 383 .....	10,000.00

## (12) For expense of Governor's Proclamations, estimated:

For the fiscal year ending September 30, 1956 .....	40,000.00
For the fiscal year ending September 30, 1957 .....	20,000.00

## (13) Hall of Fame Board:

For payment of salaries and expenses...	2,100.00
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## (14) Richard Pearson Hobson Memorial Board:

To provide for the expenditures authorized by Act No. 536, 1943 Acts, page 510 .....	2,750.00
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## (15) LaGrange Historical Commission: To provide for the expenditures authorized by Act No. 551, 1943 Acts, page 540 .....

500.00

## (16) For mailing tax notices, estimated..... 3,500.00

## (17) Purchase Code Pocket Supplement for the fiscal year ending September 30, 1956, estimated ..... 25,000.00

## (18) For printing of State and County Privilege Licenses, estimated ..... 6,000.00

## (19) For registration of voters, estimated:

For the fiscal year ending September 30, 1956 .....	175,000.00
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For the fiscal year ending September 30, 1957 .....	125,000.00
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## (20) For Spanish War Veterans Encampment ..... 1,500.00

## (21) First White House of Confederacy, for salaries and other expenses ..... 3,140.00

## (22) Bangs Disease:

For salaries .....	40,000.00
For other expenses .....	60,000.00

Total ..... 100,000.00

Conditional upon the condition of the treasury and approval of the Governor.

## (23) Disease of Swine:

For salaries .....	43,000.00
For other expenses .....	53,000.00
For equipment purchases .....	4,000.00

Total ..... 100,000.00

Conditional upon the condition of the treasury and with the approval of the Governor.

## FROM FUNDS OTHER THAN GENERAL FUND

## XI. AERONAUTICS DEPARTMENT:

For the fiscal year ending September 30, 1956:	
For the salary of the Director .....	7,200.00
For other salaries .....	25,884.00
For other expenses .....	14,763.00
For equipment purchases .....	7,434.00
Total .....	55,281.00
For State aid for Airports — For Airports and Airmarking .....	150,000.00
For the fiscal year ending September 30, 1957:	
For salary of the Director .....	7,200.00
For other salaries .....	25,884.00
For other expenses .....	14,763.00
For equipment purchases .....	3,000.00
Total .....	50,847.00
For State aid for Airports — For Airports and Airmarking .....	125,000.00

The above appropriations shall be paid out of the receipts to the State Airports Development Fund as provided in Act No. 402, approved July 9, 1945, and the amounts appropriated herein shall be the maximum expenditures pursuant thereto.

## XXII. AGRICULTURE AND INDUSTRIES:

## A. ADMINISTRATIVE OPERATIONS:

For the fiscal year ending September 30, 1956:	
For salary of the Commissioner .....	8,400.00
For other salaries .....	511,700.00
For other expenses .....	230,000.00
For equipment purchases .....	20,000.00
For awarding prizes and premiums .....	35,000.00
For White Fringed Beetle Control .....	27,000.00
Total .....	832,100.00
For the fiscal year ending September 30, 1957:	
For salary of the Commissioner .....	8,400.00
For other salaries .....	512,900.00
For other expenses .....	230,000.00
For equipment purchases .....	20,000.00
For awarding prizes and premiums .....	35,000.00
For White Fringed Beetle Control .....	27,000.00
Total .....	833,300.00

(The above appropriations are payable from funds in the Agricultural Fund and shall be the maximum amounts expended therefrom for operations.)

# **B. TRANSFER OF FUNDS FROM AGRICULTURAL FUND:**

For the fiscal year ending September  
30, 1956:

1. Transfer to Agricultural Center Board for operation and debt service .....	95,100.00	
2. Transfer to Agricultural Center Board for operation of Livestock Coliseum .....	25,000.00	
3. Transfer to Shipping Point Inspection Fund .....	15,000.00	
4. Transfer to State Personnel Department .....	2,739.00	
Total .....		137,839.00

For the fiscal year ending September  
30, 1957:

1. Transfer to Agricultural Center Board for operation and debt service .....	93,900.00	
2. Transfer to Agricultural Center Board for operation of Livestock Coliseum .....	25,000.00	
3. Transfer to Shipping Point Inspection Fund .....	15,000.00	
4. Transfer to State Personnel Department .....	2,814.00	
Total .....		136,714.00

## **C. EGG INSPECTION DIVISION:**

For the fiscal year ending September  
30, 1956:

For salaries, other expenses and equipment purchases .....	60,000.00
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For the fiscal year ending September  
30, 1957:

For salaries, other expenses and equipment purchases .....	100,000.00
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(The above appropriations are payable from funds in the Egg Inspection Fund and shall be the Maximum amounts expended therefrom.)

## **D. AGRICULTURAL CENTER BOARD:**

For the fiscal year ending September  
30, 1956:

For salaries .....	13,950.00
For other expenses .....	5,850.00

For equipment purchases .....	200.00	
For debt service on Coliseum Bonds.....	75,100.00	
<b>Total .....</b>		<b>95,100.00</b>

For the fiscal year ending September  
30, 1957:

For salaries .....	14,310.00	
For other expenses .....	5,490.00	
For equipment purchases .....	200.00	
For debt service on Coliseum Bonds .....	73,900.00	
<b>Total .....</b>		<b>93,900.00</b>

(The above appropriation to the Agricultural Center Board shall be paid out of the Agricultural Center Board Fund.)

#### E. LIVESTOCK COLISEUM:

For salaries, other expenses and equipment purchases .....	80,900.00
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(The fund hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation hereinabove included the appropriation made to said fund as provided in Item XII B.)

### XIII. ALCOHOLIC BEVERAGE CONTROL BOARD:

#### A. ADMINISTRATIVE AND STORES DIVISION:

For the fiscal year ending September  
30, 1956:

For salary of administrator .....	10,000.00	
For other salaries .....	1,856,944.00	
For other expenses (transportation costs for merchandise excluded) .....	503,300.00	
For equipment purchases .....	58,390.00	
For additions and betterments .....	8,000.00	
For transfer to State Personnel Department .....	8,393.00	
For transportation costs on merchandise, estimated .....	125,000.00	
<b>Total estimated .....</b>		<b>2,570,027.00</b>

For the fiscal year ending September  
30, 1957:

For salary of administrator .....	10,000.00	
For other salaries .....	1,890,988.00	
For other expenses (transportation costs for merchandise excluded) .....	512,100.00	
For equipment purchases .....	31,196.00	
For additions and betterments .....	5,000.00	
For transfer to State Personnel Department .....	8,622.00	
For transportation costs on merchan-		

dise, estimated ..... 125,000.00

Total estimated ..... 2,582,906.00

In addition to the above appropriation herein made there is hereby appropriated for each additional retail store put into operation during each fiscal year, an amount equal to the sum required to install the last comparable retail store put into operation by said Board. Provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

#### B. LAW ENFORCEMENT DIVISION:

For salaries ..... 300,000.00  
For other expenses ..... 168,000.00  
For equipment purchases ..... 20,000.00

Total ..... 488,000.00

#### C. COMMISSION ON EDUCATION WITH RESPECT TO ALCOHOLISM:

For the fiscal year ending September 30, 1956:

For salaries ..... 9,360.00  
For other expenses ..... 3,580.00  
For equipment purchases ..... 2,500.00

Total ..... 15,440.00

For the fiscal year ending September 30, 1957:

For salaries ..... 9,360.00  
For other expenses ..... 6,080.00

Total ..... 15,440.00

(The appropriations hereinabove made to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.)

#### D. BEER TAX AND LICENSE DIVISION:

For the fiscal year ending September 30, 1956:

For salaries ..... 138,302.00  
For other expenses ..... 81,790.00  
For equipment purchases ..... 1,000.00

Total ..... 221,092.00

For the fiscal year ending September  
30, 1957:

For salaries .....	149,615.00	
For other expenses .....	83,790.00	
For equipment purchases .....	1,000.00	
<b>Total .....</b>		<b>234,405.00</b>

(This appropriation hereinabove made to the Alcoholic Beverage Control Board shall be paid out of the gross proceeds from the licenses, permits, and tax on malt beverages.)

#### XIV. ALABAMA STATE BAR ASSOCIATION:

For salaries, other expenses and equipment purchases .....	34,000.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

#### XV. DEPARTMENT OF CONSERVATION:

##### A. ADMINISTRATIVE DIVISION:

For the fiscal year ending September  
30, 1956:

For the salary of the Director .....	10,000.00	
For other salaries .....	168,696.00	
For other expenses .....	66,277.00	
For equipment purchases .....	20,000.00	
For transfer to Personnel Department .....	9,108.00	
<b>Total .....</b>		<b>288,081.00</b>

For the fiscal year ending September  
30, 1957:

For the salary of the Director .....	10,000.00	
For other salaries .....	168,696.00	
For other expenses .....	80,029.00	
For equipment purchases .....	20,000.00	
For transfer to Personnel Department .....	9,356.00	
<b>Total .....</b>		<b>288,081.00</b>

##### B. STATE FORESTRY FUND:

For salaries .....	847,000.00	
For other expenses and equipment purchases .....	397,000.00	
For additions and betterments .....	24,000.00	
For transfer to Conservation Department—Administrative Account .....	110,000.00	
<b>Total .....</b>		<b>1,378,000.00</b>

The funds hereinabove appropriated to the State Forestry Division shall be paid out of the State Forestry Fund. In the event of an emergency, so determined by the Director of Conservation and



the Governor, the Director of Conservation with the approval of the Governor is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Division of Forestry.

#### C. GAME AND FISH DIVISION:

For salaries .....	695,532.00	
For other expenses .....	476,100.00	
For equipment purchases .....	100,000.00	
For additions and betterments .....	475,000.00	
For transfer to Conservation Department—Administrative Account .....	110,000.00	
<b>Total .....</b>		<b>1,856,532.00</b>

The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.

#### D. STATE LANDS DIVISION:

For salaries .....	35,316.00	
For other expenses .....	15,184.00	
For equipment purchases .....	2,000.00	
<b>Total .....</b>		<b>52,500.00</b>

The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund.

#### E. STATE PARKS DIVISION:

For salaries .....	105,000.00	
For other expenses .....	93,000.00	
For equipment purchases .....	15,000.00	
For additions and betterments .....	40,000.00	
For transfer to Conservation Department—Administrative Account .....	33,190.00	
<b>Total .....</b>		<b>286,190.00</b>

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item VI (1) in this Act.

#### F. SEAFOOD DIVISION:

For the fiscal year ending September 30, 1956:		
For salaries .....	61,608.00	
For other expenses .....	59,150.00	
For equipment purchases .....	48,000.00	
For additions and betterments .....	130,000.00	
For transfer to Conservation Department—Administrative Account .....	37,842.00	
<b>Total .....</b>		<b>336,600.00</b>

For the fiscal year ending September 30, 1957:

For salaries .....	61,608.00	
For other expenses .....	54,400.00	
For equipment purchases .....	10,000.00	
For additions and betterments .....	125,000.00	
For transfer to Conservation Department—Administrative Account .....	37,842.00	
<b>Total .....</b>		<b>288,850.00</b>
For the fiscal year ending September 30, 1956:		
<b>Total .....</b>		<b>4,197,903.00</b>
For the fiscal year ending September 30, 1957:		
<b>Total .....</b>		<b>4,150,153.00</b>
The funds hereinabove appropriated to the Seafood Division shall be paid out of the Seafood Fund.		

## XVI. BOARD OF CORRECTIONS:

For the fiscal year ending September 30, 1956:		
For the salary of the Commissioner.....	12,000.00	
For transfer to the State Personnel Department .....	4,752.00	
For other salaries and expenses incident to the operation and maintenance of the convict system of Alabama, so much as may be necessary.		
For the fiscal year ending September 30, 1957:		
For the salary of the Commissioner.....	12,000.00	
For transfer to State Personnel Department .....	4,881.00	
For other salaries and expenses incident to the operation and maintenance of the convict system of Alabama, so much as may be necessary.		

The above appropriation to the Board of Corrections shall be paid out of all of the receipts from the administration of the department, including the labor of the convicts, and all other funds appropriated.

## XVII. DENTAL ASSOCIATION:

For salaries, other expenses and equipment purchases .....	2,600.00
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## XVIII. ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department:	
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For the fiscal year ending September  
30, 1956 .....

5,203.00

For the fiscal year ending September  
30, 1957 .....

5,345.00

The above appropriations shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

#### XIX. HEALTH DEPARTMENT:

##### 1. Hospital Licensing:

For the fiscal year ending September  
30, 1956:

For salaries ..... 8,280.00  
For other expenses ..... 4,000.00

Total ..... 12,280.00

For the fiscal year ending September  
30, 1957:

For salaries ..... 8,712.00  
For other expenses ..... 4,000.00  
Total ..... 12,712.00

The above appropriations are payable from funds in the Hospital Licensing Fund and shall be the maximum amounts expended therefrom.

##### 2. Bureau of Vital Statistics:

For salaries ..... 45,300.00

The above appropriations are payable from funds in the Vital Statistics Fund and shall be the maximum amounts expended therefrom.

#### XX. HIGHWAYS AND BRIDGES:

For interest and sinking funds on outstanding highway bonds, so much of the gasoline taxes and motor vehicle licenses collected as may be necessary to pay the same; and for the compensation of the State Highway Director, \$10,000.00; for transfer to the State Personnel Department, \$34,452.00 for the fiscal year ending September 30, 1956 and \$35,392.00 for the fiscal year ending September 30, 1957; for maintenance and construction of roads and bridges, for salaries and for other expenses of the Highway Department, the residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to the Highway Department by virtue of Federal aid.

#### XXI. DEPARTMENT OF INDUSTRIAL RELATIONS:

For salary of the Director, estimated ..... 10,000.00

For transfer to the State Personnel Department:

For the fiscal year ending September  
30, 1956 ..... 8,140.00

For the fiscal year ending September 30, 1957 .....	8,362.00
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For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation and for such other funds, services and operations for which the United States Government may provide monies: there is hereby appropriated, in addition to the amounts appropriated herein in Item V (9), all such sums as the United States Government may make available therefor.

## XXII. STATE INSURANCE FUND:

For the fiscal year ending September 30, 1956:

For salaries .....	46,436.00	
For other expenses .....	16,877.00	
For equipment purchases .....	6,750.00	
<b>Total</b> .....		70,063.00

For the fiscal year ending September 30, 1957:

For salaries .....	48,584.00	
For other expenses .....	18,877.00	
For equipment purchases .....	8,200.00	
<b>Total</b> .....		75,661.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title 28, Section 325, Code of Alabama 1940.

## XXIII. LAW ENFORCEMENT:

To carry out the provisions of Sections 251 and 260 of Title 29, Code of Alabama 1940, estimated .....	8,000.00
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## XXIV. STATE LICENSING BOARD FOR GENERAL CONTRACTORS:

For salaries .....	16,620.00	
For other expenses .....	7,180.00	
For equipment purchases .....	500.00	
<b>Total</b> .....		24,300.00

In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

The above appropriation is payable out of the funds in the State Treasury to the credit of the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

**XXV. LIQUIFIED PETROLEUM GAS COMMISSION:**

For salaries of three commissioners.....	7,500.00
For other salaries .....	12,180.00
For other expenses .....	6,085.00

Total .....	25,765.00
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The above appropriation is payable from funds in the State Treasury to the credit of the Liquified Petroleum Gas Fund and shall be the maximum amounts expended therefrom.

**XXVI. ALABAMA MILK CONTROL BOARD:**

For the fiscal year ending September 30, 1956:

For salaries .....	52,512.00
For other expenses .....	32,300.00
For equipment purchases .....	3,000.00

Total .....	87,812.00
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For the fiscal year ending September 30, 1957:

For salaries .....	53,520.00
For other expenses .....	32,300.00
For equipment purchases .....	2,500.00

Total .....	88,320.00
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The above appropriation shall be paid out of the Milk Control Board Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

**XXVII. BOARD OF NURSES EXAMINERS AN REGISTRATION:**

For the fiscal year ending September 30, 1956:

For salaries .....	18,864.00
For other expenses .....	9,977.00
For equipment purchases .....	1,000.00

Total .....	29,841.00
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For the fiscal year ending September 30, 1957:

For salaries .....	19,683.00
For other expenses .....	9,470.00
For equipment purchases .....	1,500.00

Total .....	30,653.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

**XXVIII. OIL AND GAS BOARD:**

For the fiscal year ending September 30, 1956:

For salaries .....	32,616.00	
For other expenses .....	15,687.50	
For equipment purchases .....	5,500.00	
For salaries and expenses incurred in opening new oil fields .....	10,000.00	
Total .....		63,803.50
For the fiscal year ending September 30, 1957:		
For salaries .....	33,843.75	
For other expenses .....	15,687.50	
For equipment purchases .....	5,500.00	
For salaries and expenses incurred in opening new oil fields .....	15,000.00	
Total .....		70,031.25

The above appropriation is payable out of the funds in the State Treasury to the credit of the Oil and Gas Fund pursuant to the provisions of Act No. 1, approved May 22, 1945.

#### XXIX. PENSIONS:

1. For confederate veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows.

#### 2. PENSION COMMISSION:

For the fiscal year ending September 30, 1956:		
For salaries .....	4,200.00	
For other expenses .....	400.00	
For equipment purchases .....	300.00	
Total .....		4,900.00
For the fiscal year ending September 30, 1957:		
For salaries .....	4,200.00	
For other expenses .....	400.00	
Total .....		4,600.00

The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, of the Code of Alabama 1940.

#### XXX. PERSONNEL DEPARTMENT:

For the fiscal year ending September 30, 1956:		
For salary of the Director .....	7,500.00	
For other salaries .....	81,000.00	
For other expenses .....	16,000.00	
For equipment purchases .....	1,000.00	
Total .....		105,500.00

For the fiscal year ending September  
30, 1957:

For salary of the Director .....	7,500.00	
For other salaries .....	83,500.00	
For other expenses .....	16,000.00	
For equipment purchases .....	1,500.00	
Total .....		108,500.00

The above appropriation shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.

#### XXXI. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258, and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided however, not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

#### XXXII. PHYSICIANS' ASSOCIATION:

For salaries, other expenses and equipment purchases .....	12,500.00
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#### XXXIII. ALABAMA PUBLIC SERVICE COMMISSION:

For salary of President and Two Associate Commissioners .....	21,300.00	
For other salaries .....	106,000.00	
For other expenses .....	57,700.00	
For equipment purchases .....	5,000.00	
Total .....		190,000.00

The above appropriation to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts of percentage of fees and taxes paid by motor carriers or motor transportation companies as are now or may be set aside by law to be used by the Commission; and all receipts from fees and taxes paid to the Alabama Public Service Commission in excess of \$50,000.00 at the end of each fiscal year shall revert to the General Fund in the State Treasury.

#### XXXIV. DEPARTMENT OF PUBLIC WELFARE:

For the salary of the Commissioner.....	10,000.00
For transfer to the State Personnel Department:	
For the fiscal year ending September 30, 1956 .....	10,879.00

For the fiscal year ending September 30, 1957 .....	11,176.00
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For other salaries and expenses incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated, in addition to the amounts set out in Item V (16) all Federal, State, County and Municipal funds made available therefor, provided that not more than the sum of two million dollars (\$2,000,000.00) of the State funds made available for welfare purposes may be used for administrative purposes of the Department, provided further, that not more than twenty-seven and one-half percentum of the State funds made available for welfare purposes may be allotted in any one quarter of a fiscal year.

#### XXXV. ALABAMA REAL ESTATE COMMISSION:

For the fiscal year ending September 30, 1956:

For salaries .....	18,204.00	
For other expenses .....	17,085.00	
For equipment purchases .....	1,200.00	
<b>Total .....</b>		<b>36,489.00</b>

For the fiscal year ending September 30, 1957:

For salaries .....	18,684.00	
For other expenses .....	16,885.00	
For equipment purchases .....	500.00	
<b>Total .....</b>		<b>36,069.00</b>

The above appropriation shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, of the Code of Alabama 1940, as amended, and the amounts appropriated herein shall be the maximum expenditure pursuant thereto.

#### XXXVI. STATE BOARD OF REGISTRATION FOR ARCHITECTS:

For the fiscal year ending September 30, 1956:

For salaries .....	900.00	
For other expenses .....	1,702.50	
<b>Total .....</b>		<b>2,602.50</b>

For the fiscal year ending September 30, 1957:

For salaries .....	900.00	
For other expenses .....	1,710.00	
For equipment purchases .....	120.00	
<b>Total .....</b>		<b>2,730.00</b>

The above appropriation is payable out of the funds in the State Treasury to the credit of the State



Board of Registration for Architects pursuant to  
~~Title 46, Chapter 2, Code of Alabama 1940, as~~  
 amended.

**XXXVII: STATE BOARD OF REGISTRATION FOR  
 PROFESSIONAL ENGINEERS AND LAND  
 SURVEYORS:**

For the fiscal year ending September  
 30, 1956:

For salaries .....	11,340.00
For other expenses .....	6,725.00
For equipment purchases .....	400.00

Total .....	18,465.00
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For the fiscal year ending September  
 30, 1957:

For salaries .....	11,880.00
For other expenses .....	7,725.00
For equipment purchases .....	500.00

Total .....	20,105.00
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The above appropriation is payable out of the funds  
 in the State Treasury to the credit of the Profes-  
 sional Engineers Fund as provided in Title 46,  
 Chapter 7, Code of Alabama 1940, as amended.

**XXXVIII. DEPARTMENT OF REVENUE:**

For the Administrative Account of the Department  
 of Revenue there is hereby transferred from the  
 General Fund and appropriated as provided in Item  
 V (19) of this Act,

For the fiscal year ending September 30, 1956 .....	315,738.00
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For the fiscal year ending September 30, 1957 .....	322,200.00
--	------------

There is hereby appropriated for transfer to Reve-  
 nue Department, Administrative Account, from the  
 gross proceeds of Coal Tonnage Tax collections  
 as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	17,539.00
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For the fiscal year ending September 30, 1957 .....	17,898.00
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There is hereby appropriated for transfer to Reve-  
 nue Department, Administrative Account, from  
 the gross proceeds of Financial Institutions Excise  
 Tax collections as part of the cost of operating said  
 Department,

For the fiscal year ending September 30, 1956 .....	26,176.00
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For the fiscal year ending September 30, 1957 .....	26,712.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Gasoline Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	110,000.00
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For the fiscal year ending September 30, 1957 .....	110,000.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from Income Tax collections, for the cost of collecting said tax,

For the fiscal year ending September 30, 1956 .....	325,000.00
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For the fiscal year ending September 30, 1957 .....	325,000.00
---	------------

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Mileage Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	90,000.00
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For the fiscal year ending September 30, 1957 .....	90,000.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Fuel Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	60,000.00
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For the fiscal year ending September 30, 1957 .....	60,000.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Vehicle License collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	391,400.00
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For the fiscal year ending September 30, 1957 .....	420,900.00
---	------------

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Iron Ore Tonnage Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	3,467.00
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For the fiscal year ending September 30, 1957 .....	3,538.00
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There is hereby appropriated for transfer to the ~~Revenue Department, Administrative Account,~~ from the Public School Fund as part of the cost of collection of the 3-mill ad valorem tax,

For the fiscal year ending September 30, 1956 .....	70,317.00
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For the fiscal year ending September 30, 1957 .....	71,756.00
---	-----------

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Sales Tax Collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	1,249,103.00
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For the fiscal year ending September 30, 1957 .....	1,274,670.00
---	--------------

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Store License Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	18,066.00
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For the fiscal year ending September 30, 1957 .....	18,436.00
---	-----------

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Tobacco Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	227,010.00
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For the fiscal year ending September 30, 1957 .....	231,656.00
---	------------

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Use Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	100,184.00
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For the fiscal year ending September 30, 1957 .....	102,234.00
---	------------

For the fiscal year ending September 30, 1956:	
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Total .....	3,004,000.00
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For the fiscal year ending September 30, 1957:	
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Total .....	3,075,000.00
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**DEPARTMENT OF REVENUE — ADMINISTRATIVE ACCOUNT:**

For the fiscal year ending September 30, 1956:	
--	--

For the salary of the Commissioner .....	10,000.00	
For other salaries .....	1,826,590.00	
For other expenses .....	1,014,900.00	
For equipment purchases .....	25,000.00	
For transfer to State Personnel Department .....	4,510.00	
<b>Total .....</b>		<b>2,881,000.00</b>

For the fiscal year ending September 30, 1957:

For the salary of the Commissioner .....	10,000.00	
For other salaries .....	1,866,267.00	
For other expenses .....	1,046,100.00	
For equipment purchases .....	25,000.00	
For transfer to State Personnel Department .....	4,633.00	
<b>Total .....</b>		<b>2,952,000.00</b>

The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by Local Acts of the Legislature as a charge for the collection of taxes or licenses.

#### XXXIX. STATE BOARD OF VETERINARY MEDICAL EXAMINERS:

For salaries .....	100.00	
For other expenses .....	2,900.00	
<b>Total .....</b>		<b>3,000.00</b>

The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

#### XL. SHIPPING POINT INSPECTION:

For the payment of expenses and salaries incident to operation of shipping Point Inspection of Department of Agriculture and Industries...	15,000.00
--	-----------

(This is the appropriation contemplated in Item XII B (3))

In addition to the above appropriation, there is also hereby appropriated for Shipping Point Inspection, all fees and charges collected by the Commissioner of Agriculture and Industries under the provisions of Title 2, Chapter 1, Article 25, Code of Alabama 1940, pursuant to an agreement with the U. S. Department of Agriculture whereby co-

operative Federal-State shipping point and terminal market inspection services for grading and classification of agricultural commodities are performed.

The above appropriation shall be paid out of the receipts to the Shipping Point Inspection Fund.

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission, or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and that in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for these appropriations designated as 'estimated', and all appropriations herein made except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school, or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts, or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities, or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made, not in and of itself unconstitutional or invalid.

Section 8. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be, and the same are hereby expressly repealed.

Section 9. That this Act shall become effective on October 1, 1955.

And the substitute was adopted.

Yeas 85; Nays 0.

**Yeas:**

Mr. Speaker	deGraffenried	Kaul	Oden
Adams	Dement	Kelly	Payne
Albea	DeSear	Killough	Perry
Ashworth	Edwards (Escambia)	Kirkham	Pirkle
Bassett	Faulk	Lackey	Pruitt
Boyd	Ferrell	Law	Ramey
Bradford	Gilchrist	Lee (Barbour)	Richardson
Brannan	Gist	Lee (Lawrence)	Roberts
Branyon	Gregory	McClendon	Shumate
Brassell	Grouby	McKay	Simon
Brewer	Hain	McLendon	Solomon
Broadfoot	Hall	McNider	Speaks
Brooks	Hanby	Mathews	Steagall
Brown (Lamar)	Hardy	Meeks	Stembridge
Brown (Lee)	Hare	Merrill	Stokes
Burkhalter	Hawkins	Molette	Summerlin
Callahan	Hodges	Money	Taylor
Cornett	Holliman	Nettles	Thomas
Cox	Huddleston	Nice	Tyson
Crook	Hunt	Nolen	Vacca
Davis	Jenkins	Oakley	Ward
Dawkins			

—8f

Mr. Thomas offered the following amendment to the bill, H. 206, as amended:

**AMENDMENT TO SUBSTITUTE FOR H. B. 206**

On page 5—Department of Examiners of Public Accounts

For the fiscal year ending September 30, 1956—For Other Expenses—Amend by striking out the figure \$135,000 and substituting in lieu thereof the figure \$166,305.28.

Amend the total figure for the fiscal year ending September 30, 1956 by striking out the figure \$525,000 and substituting in lieu thereof the figure \$556,305.28.

For the fiscal year ending September 30, 1957—For Other Expenses—Amend by striking out the figure \$130,500 and substituting in lieu thereof the figure \$166,305.28.

Amend the total figure for the fiscal year ending September 30, 1957 by striking out the figure \$525,000 and substituting in lieu thereof the figure \$560,805.28.

The motion of Mr. Dawkins to lay on the table the amendment offered by Mr. Thomas was lost.

Yeas 40; Nays 51.

**Yeas:**

Mr. Speaker	Ashworth	Brown (Lamar)	Davis
Adams	Broadfoot	Callahan	deGraffenried
Albea	Brooks	Cox	Dement

Edwards (Escambia)	Hanby	Money	Steagall
Ferrell	Hawkins	Oden	Stembridge
Gist	Kendall	Ramey	Stokes
Goodwyn	Killough	Selman	Summerlin
Gregory	Love	Shumate	Taylor
Hain	Mathews	Simon	Vacca
Hall	Merrill	Speaks	Ward

—40

**Nays:**

Messrs.	Edwards (Jefferson)	Kirkham	Molette
Bassett	Faulk	Lackey	Nettles
Boyd	Gilchrist	Law	Nice
Bradford	Grouby	Lee (Barbour)	Nolen
Brannan	Haltom	Lee (Lawrence)	Oakley
Branyon	Hardy	Locke (Choctaw)	Payne
Brassell	Hare	Locke (Perry)	Perry
Brewer	Harrison	McClendon	Pirkle
Brown (Lee)	Hodges	McKay	Pruitt
Burkhalter	Holliman	McLendon	Richardson
Cornett	Hunt	McNider	Roberts
Crook	Jenkins	Martin	Solomon
DeSear	Kaul	Meeks	Thomas

—51

And the amendment offered by Mr. Thomas was adopted.

Yeas 63; Nays 30.

**Yeas:**

Messrs.	Edwards (Jefferson)	Kaul	Nettles
Adams	Faulk	Kelly	Nice
Ashworth	Ferrell	Kirkham	Nolen
Bassett	Gilchrist	Lackey	Oakley
Boyd	Gist	Law	Payne
Bradford	Grouby	Lee (Barbour)	Perry
Brannan	Haltom	Locke (Choctaw)	Pirkle
Branyon	Hardy	Locke (Perry)	Pruitt
Brassell	Hare	McClendon	Ramey
Brewer	Harrison	McKay	Richardson
Brown (Lee)	Hodges	McLendon	Roberts
Burkhalter	Holliman	McNider	Solomon
Cornett	Huddleston	Martin	Stembridge
Cox	Hunt	Meeks	Stokes
Crook	Jenkins	Molette	Thomas
DeSear	Johnson (Elmore)	Money	Vacca

—63

**Nays:**

Mr. Speaker	Dement	Kendall	Shumate
Albea	Edwards (Escambia)	Killough	Simon
Broadfoot	Goodwyn	Love	Speaks
Brooks	Gregory	Mathews	Steagall
Callahan	Hain	Merrill	Summerlin
Davis	Hall	Oden	Taylor
Dawkins	Hanby	Selman	Ward
deGraffenried	Hawkins		

—30

Mr. Brassell offered the following amendment to the bill, H. 206, as amended:

Amend the substitute for H. B. 206 by adding the following to Item X MISCELLANEOUS, on page 12:

(24) Fort Morgan Historical Commission:

For capital outlay ..... 20,000.00

For salaries, maintenance and other expenses ..... 10,500.00

And the amendment was adopted.

Yeas 61; Nays 22.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kelly	Perry
Adams	Edwards (Jefferson)	Killough	Pirkle
Ashworth	Ferrell	Lackey	Pruitt
Bassett	Gilchrist	Lee (Barbour)	Ramey
Boyd	Gist	Locke (Choctaw)	Richardson
Brannan	Hain	McClendon	Selman
Branyon	Hall	McKay	Simon
Brassell	Hardy	McLendon	Speaks
Brewer	Hare	McNider	Steagall
Brooks	Harrison	Molette	Stembridge
Burkhalter	Hodges	Money	Stokes
Cornett	Holliman	Nettles	Summerlin
Crook	Hunt	Nolen	Taylor
Davis	Jenkins	Oakley	Tyson
deGraffenried	Johnson (Elmore)	Payne	Vacca
Dement			

—61

**Nays:**

Messrs.	Dawkins	Hawkins	Martin
Albea	DeSear	Kaul	Meeks
Bradford	Gregory	Kendall	Merrill
Brown (Lamar)	Grouby	Kirkham	Nice
Brown (Lee)	Haltom	Lee (Lawrence)	Ward
Callahan	Hanby	Love	

—22

Messrs. Nettles, Boyd and Oakley offered the following amendment to the bill, H. 206, as amended:

**AMENDMENT**

Amend Subsection XII of Section 2 of House Bill No. 206 by striking out all of said Subsection XII and substitute in lieu thereof the following:

**XII. AGRICULTURE AND INDUSTRIES:**

**FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1956 and 1957:**

**A. ADMINISTRATIVE OPERATIONS:**

For salary of the Commissioner .....	8,400.00
For other salaries .....	634,000.00
For other expenses .....	240,000.00
For State Office Building rent .....	52,473.50
For equipment purchases .....	47,000.00
For transfer to State Personnel Department .....	2,739.00
For transfer to Shipping Point Inspection Fund .....	15,000.00

**Total .....** 999,612.50



(The above appropriations are payable from funds in the Agricultural Fund and shall be the maximum amount expended therefrom for operations.)

**B. TRANSFER OF FUNDS FROM GENERAL FUND:**

1. Transfer to Agricultural Center Board for operation and debt service .....	95,100.00
2. Transfer to Agricultural Center Board for operation of Livestock Coliseum .....	25,000.00
3. For White Fringed Beetle Control .....	27,000.00
4. For awarding prizes and premiums .....	35,000.00
<b>Total .....</b>	<b>182,100.00</b>

(The above amounts shall be transferred from the General Fund in the State Treasury and expended as appropriated under Items D, E, F and G hereof.)

**C. EGG INSPECTION DIVISION:**

For salaries, other expenses and equipment purchases..... 75,000.00  
(The above appropriations are payable from funds in the Egg Inspection Fund and shall be the maximum amounts expended therefrom.)

**D. AGRICULTURAL CENTER BOARD:**

For salaries .....	13,950.00
For other expenses .....	5,850.00
For equipment purchases .....	200.00
For debt service on Coliseum Bonds .....	75,100.00
<b>Total .....</b>	<b>95,100.00</b>

(The above appropriation to the Agricultural Center Board shall be paid out of the Agricultural Center Board Fund.)

**E. LIVESTOCK COLISEUM:**

For salaries, other expenses and equipment purchases... 90,000.00  
(The fund hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation hereinabove included the appropriation made to said fund as provided in Item XII B.)

**F. WHITE FRINGED BEETLE CONTROL:**

For salaries, equipment and other expenses, including purchase of necessary insecticides ..... 27,000.00

**G. PRIZES AND PREMIUMS:**

For awarding prizes and premiums as provided under Act No. 746, Legislature of 1951, as amended..... 35,000.00

And the amendment was adopted:

Yeas 65; Nays 19.

**Yeas:**

Mr. Speaker  
Ashworth

Bassett  
Boyd

Brannan  
Branyon

Brassell  
Brewer

Brown (Lamar)	Hare	Lee (Lawrence)	Payne
Burkhalter	Harrison	Locke (Choctaw)	Perry
Callahan	Harvey	Locke (Perry)	Pirkle
Davis	Hodges	Love	Pruitt
Dement	Holliman	McClendon	Richardson
DeSear	Hunt	McLendon	Selman
Edwards (Escambia)	Jenkins	McNider	Shumate
Faulk	Johnson (Elmore)	Martin	Simon
Ferrell	Kelly	Molette	Solomon
Gist	Kendall	Money	Speaks
Gregory	Killough	Nettles	Summerlin
Grouby	Kirkham	Nolen	Taylor
Hain	Lackey	Oakley	Thomas
Hall	Lee (Barbour)	Oden	Tyson
Hardy			

—65

**Nays:**

Messrs.	Cornett	Hawkins	Merrill
Adams	Dawkins	Huddleston	Nice
Albea	deGraffenried	Kaul	Stokes
Bradford	Haltom	McKay	Vacca
Brown (Lee)	Hanby	Meeks	Ward

—19

Messrs. Pruitt and Brewer offered the following amendment to the bill, 206, as amended:

**AMENDMENT TO SUBSTITUTE FOR H. B. 206**

Amend Substitute for H. B. 206, Section V, subsection (7), item (i) by striking said item therefrom and inserting in lieu thereof the following:

“(i) For subsidy to counties for treatment of tuberculosis, for the fiscal year ending September 30, 1956 .....	\$1,907,490.00
For subsidy to counties for treatment of tuberculosis for the fiscal year ending September 30, 1957 .....	\$2,072,190.00”

And the amendment was adopted.

Yeas 88; Nays 4.

**Yeas:**

Mr. Speaker	Burkhalter	Gregory	Kelly
Adams	Callahan	Grouby	Kendall
Albea	Cornett	Hain	Kirkham
Ashworth	Cox	Hall	Lackey
Bassett	Crook	Haltom	Law
Boyd	deGraffenried	Hanby	Lee (Barbour)
Bradford	Dement	Hardy	Lee (Lawrence)
Brannan	DeSear	Hare	Locke (Choctaw)
Branyon	Edwards (Escambia)	Harrison	Locke (Perry)
Brassell	Edwards (Jefferson)	Harvey	Love
Brewer	Faulk	Holliman	McClendon
Broadfoot	Ferrell	Huddleston	McKay
Brooks	Gilchrist	Hunt	McLendon
Brown (Lamar)	Gist	Jenkins	McNider
Brown (Lee)	Goodwyn	Johnson (Elmore)	Martin

Merrill	Oden	Selman	Stokes
<del>Molette</del>	<del>Payne</del>	<del>Shumate</del>	<del>Summerlin</del>
Money	Perry	Simon	Taylor
Nettles	Pruitt	Solomon	Thomas
Nice	Ramey	Speaks	Tyson
Nolen	Richardson	Steagall	Vacca
Oakley	Roberts	Stembridge	Ward

—88

Nays: Messrs. Davis, Dawkins, Kaul and Meeks.

—4

Mr. Nolen offered the following amendment to the bill, H. 206, as amended:

## AMENDMENT TO HOUSE BILL 206

To amend House Bill 206 by striking Sub-section 7 of Section VIII and substituting therefor the following words and figures.

## BOARD OF PARDONS AND PAROLES:

	1955-56	1956-57
For Salaries of Board Members .....	\$22,500.00	\$22,500.00
For Other Salaries .....	236,460.00	238,460.00
For Other Expenses .....	54,000.00	54,000.00
For Equipment Purchases .....	12,040.00	10,040.00
	<hr/> \$325,000.00	<hr/> \$325,000.00

And the amendment was adopted.

Yeas 55; Nays 25.

## Yeas:

Messrs.	Crook	Holliman	Nice
Adams	deGraffenried	Huddleston	Nolen
Albea	Dement	Johnson (Elmore)	Oakley
Ashworth	Edwards (Escambia)	Kelly	Payne
Bassett	Edwards (Jefferson)	Kendall	Pruitt
Boyd	Faulk	Kirkham	Richardson
Brannan	Goodwyn	Lackey	Selman
Branyon	Gregory	Lee (Barbour)	Simon
Brewer	Grouby	Locke (Choctaw)	Solomon
Broadfoot	Hain	McClendon	Stokes
Brooks	Hall	McKay	Taylor
Burkhalter	Haltom	McNider	Thomas
Callahan	Hare	Meeks	Tyson
Cornett	Harrison	Nettles	Vacca

—55

## Nays:

Messrs.	Gist	McLendon	Roberts
Bradford	Hanby	Merrill	Shumate
Brown (Lamar)	Hardy	Molette	Steagall
Brown (Lee)	Jenkins	Perry	Stembridge
Davis	Kaul	Pirkle	Summerlin
Dawkins	Law	Ramey	Ward
Gilchrist	Locke (Perry)		

—25

Messrs. Summerline, Brannan, Bassett, Killough, Boyd and Taylor offered the following amendment to the bill, H. 206, as amended:

## AMENDMENT TO H. B. 206

Amend the Substitute For H. B. 206 as follows:

Delete the following from Item X, Section 23, Miscellaneous on page 13:

"Conditional upon the condition of the treasure and with the approval of the Governor."

And the amendment was adopted.

Yeas 63; Nays 9.

**Yeas:**

Messrs.	Faulk	Killough	Oden
Adams	Gilchrist	Kirkham	Payne
Ashworth	Gist	Lackey	Perry
Bassett	Gregory	Law	Pirkle
Boyd	Grouby	Lee (Barbour)	Ramey
Brannan	Hall	Lee (Lawrence)	Richardson
Branyon	Haltom	Locke (Perry)	Roberts
Brassell	Hare	McClendon	Simon
Brooks	Harrison	McKay	Solomon
Burkhalter	Harvey	McLendon	Steagall
Cornett	Holliman	McNider	Stembridge
Crook	Hunt	Martin	Stokes
Dement	Jenkins	Nettles	Summerlin
DeSear	Johnson (Elmore)	Nice	Taylor
Edwards (Escambia)	Kelly	Nolen	Thomas
Edwards (Jefferson)	Kendall	Oakley	Vacca

—63

**Nays:**

Messrs.	Dawkins	Molette	Shumate
Bradford	Hanby	Selman	Ward
Davis	Hawkins		

—9

Mr. Oakley offered the following amendment to the bill, H. 206, as amended:

## AMENDMENT TO H. B. 206

Amend substitute for H. B. 206 Page 13 Sec. 2, Item X Subsection (22) by deleting the words "conditional upon the condition of the treasury and approval of the Governor".

And the amendment was adopted.

Yeas 69; Nays 7.

**Yeas:**

Messrs.	Brown (Lamar)	Gilchrist	Harvey
Adams	Burkhalter	Gist	Hodges
Ashworth	Cornett	Gregory	Holliman
Bassett	Crook	Grouby	Hunt
Boyd	deGraffenried	Hain	Jenkins
Brannan	Dement	Hall	Johnson (Elmore)
Branyon	DeSear	Haltom	Kelly
Brewer	Edwards (Escambia)	Hardy	Kirkham
Broadfoot	Edwards (Jefferson)	Hare	Lackey
Brooks	Faulk	Harrison	Law

Lee (Barbour)	Martin	Perry	Steagall
<del>Lee (Lawrence)</del>	<del>Molette</del>	<del>Ramey</del>	<del>Stembridge</del>
Locke (Choctaw)	Money	Richardson	Stokes
Locke (Perry)	Nettles	Roberts	Summerlin
McClendon	Nolen	Selman	Taylor
McKay	Oakley	Simon	Thomas
McLendon	Oden	Solomon	Vacca
McNider	Payne		

—69

**Nays:**

Messrs.	Dawkins	Huddleston	Speaks
Bradford	Hanby	Kendall	Ward

—7

Mr. Dement offered the following amendment to the bill, H. 206, as amended:

**AMENDMENT TO H. B. 206**

Amend House Substitute for House Bill 206 by striking out item 2 of subdivision 4 of Section 2 and inserting in lieu thereof the following:

Salary of Auditor .....	6,000.00
Other Salaries .....	26,250.00
Other Expense .....	2,250.00
Equipment Purchases .....	500.00
Total .....	35,000.00

And the amendment was adopted.

Yeas 51; Nays 21.

**Yeas:**

Messrs.	Faulk	Kirkham	Payne
Adams	Gregory	Lee (Lawrence)	<b>Ramey</b>
Ashworth	Grouby	Locke (Choctaw)	Richardson
Brannan	Hain	McKay	Roberts
Branyon	Hall	McLendon	Selman
Brassell	Haltom	McNider	Simon
Brooks	Harrison	Martin	Solomon
Burkhalter	Hodges	Mathews	Speaks
Callahan	Holliman	Meeks	Stokes
Cornett	Jenkins	Money	Summerlin
Crook	Johnson (Elmore)	Nettles	Thomas
deGraffenried	Kelly	Nolen	Tyson
Dement	Kendall	Oakley	Vacca

—51

**Nays:**

Messrs.	Davis	Hare	Molette
Boyd	Dawkins	Hawkins	Perry
Bradford	DeSear	Kaul	Steagall
Brewer	Gist	Law	Stembridge
Brown (Lee)	Hanby	Locke (Perry)	Ward
Cox	Hardy		

—21

Messrs. deGraffenried and Callahan offered the following amendment to the bill, H. 206, as amended:

## AMENDMENT TO SUBSTITUTE FOR H. B. NO. 206

Amend Subsection (2) and Subsection (3) of Section VIII of Substitute for H. B. No. 206 by striking therefrom the figures "\$13.50" wherever the same appear therein and substituting therefor the figures "\$14.50", strike therefrom the figure 5,284,628.00 and insert in lieu thereof the figure 5,676,054.00, strike therefrom the figure 5,436,344.00 and insert in lieu thereof the figure 5,839,032.00.

And the amendment was adopted.

Yeas 62; Nays 2.

**Yeas:**

Messrs.	Edwards <sup>(Escambia)</sup>	Jenkins	Money
Adams	Edwards <sup>(Jefferson)</sup>	Johnson <sup>(Elmore)</sup>	Nettles
Albea	Faulk	Kelly	Nice
Ashworth	Ferrell	Killough	Nolen
Bradford	Gilchrist	Kirkham	Oakley
Brannan	Gist	Lackey	Perry
Branyon	Gregory	Law	Ramey
Brewer	Grouby	Locke <sup>(Choctaw)</sup>	Richardson
Brooks	Hall	Locke <sup>(Perry)</sup>	Selman
Brown <sup>(Lamar)</sup>	Haltom	Love	Simon
Callahan	Hanby	McClendon	Speaks
Cornett	Hardy	McKay	Stembridge
Crook	Hare	McLendon	Thomas
deGraffenried	Harrison	McNider	Tyson
Dement	Hodges	Martin	Vacca
DeSear	Holliman	Molette	

—62

**Nays:** Messrs. Hawkins and Kaul.

—2

Mr. Simon offered the following amendment to the bill, H. 206, as amended:

Amend Substitute to House Bill 206 by deleting therefrom Section IV, Subsection (1) and inserting in lieu therefor the following:

**“(1) OFFICE OF THE ATTORNEY GENERAL**

For the fiscal year ending September  
30, 1956:

For the salary of the Attorney General.....	10,000.00
For Other Salaries .....	151,900.00
For Other Expenses .....	33,100.00
For Equipment Purchases .....	3,550.00

Total .....	198,550.00
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For the fiscal year ending September  
30, 1957:

For the salary of the Attorney General.....	10,000.00
For Other Salaries .....	151,900.00
For Other Expenses .....	33,100.00
For Equipment Purchases .....	2,750.00

Total .....	197,750.00”
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And the amendment was adopted.

Yeas 51; Nays 28.

**Yeas:**

Messrs.	Faulk	Lackey	Nolen
Albea	Gilchrist	Law	Oakley
Ashworth	Grouby	Lee (Barbour)	Payne
Brannan	Hall	Locke (Choctaw)	Perry
Branyon	Haltom	Love	Pruitt
Brassell	Hanby	McClendon	Ramey
Brown (Lee)	Hardy	McKay	Roberts
Callahan	Hare	McLendon	Simon
Cornett	Harrison	McNider	Solomon
Crook	Hodges	Martin	Steagall
deGraffenried	Holliman	Meeks	Stokes
Dement	Kelly	Molette	Tyson
Edwards (Escambia)	Kirkham	Nettles	Vacca

—51

**Nays:**

Messrs.	Burkhalter	Hunt	Merrill
Bassett	Cox	Jenkins	Money
Boyd	Davis	Kaul	Richardson
Bradford	Dawkins	Kendall	Selman
Brewer	DeSear	Killough	Stembridge
Broadfoot	Gregory	Lee (Lawrence)	Summerlin
Brooks		Locke (Perry)	Ward
Brown (Lamar)			

—28

Messrs. McKay and Law offered the following amendment to the bill, H. 206, as amended:

**AMENDMENT TO THE SUBSTITUTE FOR H. B. 206**

On page 10 Amend Item VIII (1) to read as follows:

**“(1) Board of Corrections:**

For Transfer to Board of Corrections  
for salaries of the employees of the  
Board .....\$848,320.00

For transfer to Board of Corrections  
for additions and betterments ..... 100,000.00

On motion of Mr. Martin the amendment offered by Messrs. McKay and Law was laid upon the table.

Yeas 55; Nays 23.

**Yeas:**

Mr. Speaker	Burkhalter	Gregory	Kelly
Ashworth	Callahan	Grouby	Kirkham
Bassett	Cox	Hall	Lee (Barbour)
Boyd	Davis	Haltom	Lee (Lawrence)
Brannan	Dawkins	Hare	McNider
Branyon	deGraffenried	Harrison	Martin
Brassell	Dement	Harvey	Merrill
Broadfoot	DeSear	Hawkins	Money
Brooks	Edwards (Escambia)	Hodges	Nice
Brown (Lamar)	Faulk	Holliman	Nolen
Brown (Lee)	Gist	Hunt	Oakley

Oden	Simon	Stembridge	Thomas
Ramey	Solomon	Stokes	Vacca
Richardson	Steagall	Summerlin	

—55

**Nays:**

Messrs.	Johnson (Elmore)	Love	Payne
Albea	Kaul	McClendon	Perry
Bradford	Killough	McKay	Roberts
Brewer	Law	McLendon	Selman
Crook	Locke (Choctaw)	Meeks	Shumate
Jenkins	Locke (Perry)	Molette	Speaks

—23

Mr. Lee (Barbour) offered the following amendment to the bill, H. 206, as amended:

**AMENDMENT TO SUBSTITUTE TO HOUSE BILL 206**

Amend Section V of H. B. 206 by striking therefrom, in subsection (13), the following:

For other salaries — conditional upon the condition of the treasury and with the approval of the Governor	\$40,000.00
For other expenses—conditional upon the condition of the treasury and with the approval of the Governor	\$25,000.00
For Active Military Service—conditional upon the condition of the treasury and with the approval of the Governor	\$25,000.00

On motion of Mr. Branyon the amendment offered by Mr. Lee (Barbour) was laid upon the table.

Yeas 66; Nays 11.

**Yeas:**

Mr. Speaker	Crook	Huddleston	Oden
Albea	Davis	Jenkins	Payne
Ashworth	Dawkins	Kelly	Pruitt
Bassett	deGraffenried	Kirkham	Ramey
Boyd	Dement	Lackey	Richardson
Brannan	DeSear	Law	Selman
Branyon	Edwards (Escambia)	Lee (Lawrence)	Shumate
Brassell	Faulk	Locke (Choctaw)	Simon
Brewer	Ferrell	Locke (Perry)	Speaks
Broadfoot	Gist	McLendon	Steagall
Brooks	Gregory	McNider	Stembridge
Brown (Lamar)	Grouby	Martin	Stokes
Brown (Lee)	Hain	Merrill	Summerlin
Burkhalter	Haltom	Molette	Thomas
Callahan	Harvey	Money	Vacca
Cornett	Hodges	Nice	Ward
Cox	Holliman		

—66

**Nays:**

Messrs.	Harrison	Lee (Barbour)	Oakley
Bradford	Kaul	Love	Perry
Gilchrist	Kendall	Meeks	Solomon

—11



Mr. Payne offered the following amendment to the bill, H. 200,  
as amended:

# AMENDMENT TO THE SUBSTITUTE FOR H. B. 206

Strike out (24) of Item V, on page 9 of the bill, and insert in lieu thereof the following:

## (24) DEPARTMENT OF VETERANS' AFFAIRS:

For the fiscal year ending September 30, 1956:		
For salary of Service Commissioner.....	7,500.00	
For other salaries .....	326,962.00	
For other expenses .....	36,350.00	
For equipment purchases .....	7,500.00	
For contract with Veterans of Foreign Wars Organization .....	20,000.00	
For contract with Disabled American Veterans Organization .....	5,000.00	
Total .....		403,312.00
For the fiscal year ending September 30, 1957:		
For salary of Service Commissioner.....	7,500.00	
For other salaries .....	346,886.00	
For other expenses .....	37,400.00	
For equipment purchases .....	6,500.00	
For contract with Veterans of Foreign Wars Organization .....	20,000.00	
For contract with Disabled American Veterans Organization .....	5,000.00	
Total .....		422,286.00

And the amendment was adopted.

Yeas 63; Nays 8.

### Yeas:

Messrs.	DeSear	Kelly	Money
Albea	Edwards (Escambia)	Killough	Nettles
Ashworth	Faulk	Kirkham	Nolen
Bassett	Ferrell	Lackey	Oakley
Boyd	Gilchrist	Law	Payne
Brannan	Gist	Lee (Barbour)	Perry
Branyon	Grouby	Lee (Lawrence)	Ramey
Brassell	Hain	Locke (Choctaw)	Selman
Brewer	Hall	Locke (Perry)	Solomon
Brooks	Haltom	Love	Speaks
Brown (Lamar)	Hardy	McKay	Steagall
Burkhalter	Harrison	McNider	Stembridge
Callahan	Harvey	Martin	Stokes
Cornett	Hodges	Mathews	Taylor
deGraffenried	Holliman	Merrill	Thomas
Dement	Jenkins	Molette	Vacca

—63

### Nays:

Messrs.	Hanby	Meeks	Richardson
Bradford	Kaul	Oden	Roberts
Gregory			

—8

Mr. Martin offered the following amendment to the bill, H. 206, as amended:

Amend the substitute for H. B. 206 as follows:

On page 8, paragraph (15), strike out the figures "659,750.00" wherever they appear in said paragraph and insert in lieu thereof the figures, "684,750.00"

Also, strike out the figures "2,669,750.00" and insert the figures, "2,694,750.00"

Also, strike out the figures "2,694,750.00" and insert the figures, "2,719,750.00"

And the amendment was adopted.

Yeas 68; Nays 6.

#### Yeas:

Mr. Speaker	Dement	Kelly	Nolen
Ashworth	DeSear	Kendall	Oakley
Bassett	Edwards (Escambia)	Killough	Oden
Boyd	Edwards (Jefferson)	Lackey	Payne
Bradford	Ferrell	Law	Ramey
Brannan	Gilchrist	Lee (Barbour)	Roberts
Branyon	Gist	Lee (Lawrence)	Selman
Brassell	Gregory	Locke (Choctaw)	Shumate
Brewer	Grouby	Love	Simon
Brooks	Hall	McKay	Solomon
Brown (Lamar)	Haltom	McLendon	Speaks
Burkhalter	Haulby	McNider	Steagall
Callahan	Harrison	Martin	Stembridge
Cornett	Hodges	Mathews	Stokes
Crook	Holliman	Money	Taylor
Davis	Huddleston	Nettles	Thomas
deGraffenried	Jenkins	Nice	Vacca

—68

#### Nays:

Messrs.	Kaul	Meeks	Richardson
Harvey	Kirkham	Perry	

—6

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill, and returns same herewith to the House:

H. 211. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training

School for Girls, the Alabama Educational Television Commission, and  
~~for the Teachers Retirement System.~~

J. E. SPEIGHT,  
 Secretary.

### SENATE MESSAGE

On motion of Mr. Dawkins, the House non-concurred in the Senate amendment to the bill, H. 211, said Senate amendment being as follows:

#### COMMITTEE AMENDMENT TO HOUSE BILL 211:

Amend House Bill No. 211 by striking therefrom Subsection I of Section 19 and substituting in lieu thereof the following words and figures:

##### "I. For Debt Service:

(Payment of principal and interest on outstanding  
 bonds of the School Bond Commission pursuant to  
 Constitutional Amendment) ..... 4,400,000.00

Funds of the above appropriation not required for debt service payments shall be transferred to the Alabama Building Commission for allocation and distribution to eleemosynary and/or to educational institutions for capital outlay purposes."

#### COMMITTEE AMENDMENT TO H. B. 211

Add the following item to subsection B of Section 7:

(4) For clinical psychology and psychiatry ..... 50,000.00

Also, amend item (1) of subsection C, Section 8, by striking out the figures "865,000.00" and inserting in lieu thereof the following:  
 926,000.00

Also, strike out the figures "150,000.00" appearing in Section 16 and insert in lieu thereof the figures "200,000.00"

Also, strike out the figures "118,000.00" appearing in Section 17 and insert in lieu thereof the figures "120,000.00"

#### AMENDMENT TO H. B. 211

Amend Section 19 of the bill, as amended, by striking out Subsection J in its entirety and substituting therefor the following:

"J. MINIMUM PROGRAM FUND. Any surplus remaining in the State treasury to the credit of the Alabama Special Educational Trust Fund after the payment in full of all appropriations made payable from said fund during the fiscal year ending September 30, 1955, is hereby appropriated for the following uses and purposes:

An amount equal to eighty-eight percent thereof shall be paid into the Minimum Program Fund, of which one-half shall be made available for expenditure during the fiscal year ending September 30, 1956, and the remaining one-half shall be made available for expenditure during the fiscal year ending September 30, 1957. Twelve percent of such appropriation shall be pro rated in such manner that the allocation and distribution thereof to the institutions of higher learning and trade schools shall be in the proportion that the appropriations from the Alabama Special Educational Trust Fund during the fiscal year ending September 30, 1956 to each such institution of higher learning and

trade school, including appropriations to the several divisions thereof, if any, shall bear to the total sum appropriated from the Alabama Special Educational Trust Fund to all such institutions of higher learning and trade schools, including appropriations to the several divisions thereof, if any, during the fiscal year ending September 30, 1956. Such surplus shall not be transferred to the Alabama Special Educational Trust Fund Surplus Account, nor to the Alabama State Building Commission of the Building Commission Fund, the provisions of Act No. 813, S. 22, approved September 19, 1953, or any other law to the contrary notwithstanding."

Also, strike out Section 23 of said bill, as amended, in its entirety, and substitute therefor the following:

Section 23. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Also, add the following sentence at the end of Section 22 of the bill, as amended:

Act No. 813, S. 22, approved September 19, 1953, which is in conflict with Subsection J of Section 19 of this Act, is also expressly repealed.

On motion of Mr. Dawkins, a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the bill, H. 211:

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Dawkins, Ward and Martin.

#### MESSAGE FROM THE SENATE

**Mr. Speaker:**

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 70. Requesting the State Board of Education to locate additional trade schools at Draper Prison.

**J. E. SPEIGHT,**  
Secretary.

#### MESSAGE FROM THE SENATE

**Mr. Speaker:**

I am directed to notify the House of Representatives that the Senate has refused to the request of the House for the return thereto of the Bill:

H. 102. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

**J. E. SPEIGHT,**  
Secretary.

#### MESSAGE FROM THE SENATE

**Mr. Speaker:**

The Senate has concurred in and adopted the House amendment to the Bill:

S. B. 215. To regulate further the office of circuit solicitor of the ~~Eighth Judicial Circuit of Alabama: Creating special funds for expenditure~~ by the circuit solicitor in law enforcement and in the conduct of his office.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the house without engrossment:

By Mr. Robison:

S. 316. To make an appropriation for the promotion and advertisement of Alabama through sponsorship of the Blue and Gray Football Game.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 316. Ways and Means.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Cooper:

S. 253. To amend Section 73 (2377) of Title 37 of the Code of 1940 relating to compensation of commissioners.

Also:

By Mr. Cooper:

S. 254. To amend further Section 105 of Title 37 of the Code of 1940 relating to compensation of commissioners.

Also:

By Mr. Engelhardt:

S. 355. Relating to Macon County: To authorize and empower the county board of education of Macon County to discharge, with or without cause, and with or without notice or hearing, any teacher in the public school system on continuing service status, notwithstanding the provisions of the general law relating to the tenure and employment of teachers.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA COUNTY OF MACON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Macon County: To authorize and empower the county board of education of Macon County to discharge, with or without cause, and with or without notice or hearing, any teacher in the public school system on continuing service status, notwithstanding the provisions of the general law relating to the tenure and employment to teachers.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of education of Macon County, Alabama, is hereby authorized and empowered to discharge with or without cause, and with or without notice or hearing, any teacher in the county school system on continuing service status under the provisions of general law relating to the employment and tenure of teachers, any provisions of Chapter 13 of Title 52, Code of Alabama (1940), as amended, to the contrary notwithstanding; and the action of the board in regard to any such discharge shall be final and not subject to review or modification by any officer or agency.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 7-21-4t

PROOF OF PUBLICATION  
THE TUSKEGEE NEWS  
Tuskegee, Ala.

STATE OF ALABAMA,  
MACON COUNTY

Before me, a notary public in and for said county and state, personally appeared Hal Fisher, who deposeth and sayeth that he is the publisher of THE TUSKEGEE NEWS, a weekly newspaper published in said County and State, and that the notice attached hereto was published for 4 consecutive weeks, as follows:

July 21, 1955; July 28, 1955; Aug. 4, 1955; Aug. 11, 1955.

Signed: HAL FISHER, Publisher.

Sworn to and subscribed before me this.....day of....., 19.....

MRS. FLORENCE G. FISHER,  
Notary Public.

My Commission Expires Jan., 1958.

J. E. SPEIGHT,  
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 253. Local Government.

S. 254. Local Government.

S. 355. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Cooper and Engelhardt:

S. 221. To amend Section 404 of Title 37 of the Code of 1940 relating to election of mayor and aldermen; legislative functions.

J. E. SPEIGHT,  
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 221. Local Government.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By the Rules Committee:

S. J. R. 71. RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 23, 1955.

J. E. SPEIGHT,  
Secretary.

SENATE MESSAGE

On motion of Mr. Kaul the rules were suspended and the House concurred in and adopted the S. J. R. 71 set out in the above and foregoing Message from the Senate.

REPORT OF COMMITTEE OF CONFERENCE RELATIVE TO H. B. 788

We, your Committee of Conference appointed to reconcile the disagreement between the two Houses concerning H. B. 788, beg leave to report as follows:

We recommend that the Senate recede from its amendments to the bill, and that the attached substitute be adopted.

O. J. GOODWYN

N. S. HARE

OTTO E. SIMON

Conferees on the part of the  
House

VAN ANTWERP

RICHMOND M. FLOWERS

BROUGHTON LAMBERTH

Conferees on the part of the  
Senate

## SUBSTITUTE FOR H. B. 788

**A BILL  
TO BE ENTITLED  
AN ACT**

To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. DEFINITIONS.

(1) Gross Income. The term "gross income" as used herein:

(1) Includes gains, profits and income derived from salaries, wages or compensation for personal services of whatever kind, or in whatever form paid, including the salaries, income, fees and other compensation of state, county and municipal officers and employees, or from professions, vocations, trades, business, commerce or sales, or dealings in property whether real or personal, growing out of ownership or use of or interest in such property; also from interest, royalties, rents, dividends, securities or transactions of any business carried on for gain or profit and the income derived from any source whatever, including any income not exempted under this Act; including income of officers or agents of the United States, etc., received from the United States, or from its agencies and instrumentalities. — The salaries, fees, commissions, or other income of officers or agents of the United States or its agencies and instrumentalities or its contractees, received from the United States or from its agencies and instrumentalities, shall be subject to this tax as other income is taxed, but without discrimination, and only to the same extent, and in the same manner other income is herein taxed, insofar as the state of Alabama may be constitutionally or legally authorized to tax such income. The income of national banks shall be subject to the tax only to the extent permitted by federal law, and the income of state chartered banks, federal and state chartered savings and loan associations, and production credit associations shall be subject to the tax to the same extent as national banks, without discrimination. For the purposes of this Act, in computing gain or loss on the sale or other disposition of property, the basis shall be the same as provided for in Title 51, Section 378, Subsection (9), Code of Alabama 1940, except the date of January 1, 1955 shall be substituted for the date used in Section 378, Subsection (9) of January 1, 1933. Losses shall be allowed only to offset gains in the taxable year. The amount of all such items shall be included in the gross income for the taxable year in which received by the taxpayer; but

(2) does not include the following items which shall be exempt from income tax under this Act;

(a) amounts received under life insurance policies and contracts paid by reason of the death of the insured,

(b) amounts received (other than amounts paid by reason of the death of the insured) under life insurance endowment or annuity contracts, either during the term or at maturity or upon surrender of contracts, equal to the total amount of premiums paid thereon,

(c) the value of property acquired by gift, bequest, demise or descent, (but the income from such property shall be included in the gross income),

(d) any amount received through accident or health insurance, or under any workman's compensation act as compensation for personal



injuries or sickness, plus the amount of any damages received, whether by suit or agreement on account of such injuries or sickness, or through the war risk insurance act, or any law for the benefit or relief of injured or disabled members of the "military or naval forces of the United States."

(3) The term "gross income" shall mean and include all of such income arising from sources within and without the state whether paid to residents or non-residents, including interest on bonds, notes or other interest-bearing obligations of residents, corporate or otherwise and all amounts received (although paid under a contract for the sale of goods or otherwise) representing profits in the manufacture and disposition of goods within or without the State of Alabama. It shall mean and include interest, dividends, or other forms of income from and gains of profits realized upon the sale, exchange or other disposition of all forms of intangible personal property owned by or held anywhere in or without the State of Alabama for the account of any resident or domestic corporation.

(2) Adjusted Gross Income. For the purposes of this Act, the term "adjusted gross income" means gross income as defined in Section 1 of this Act minus the following deductions:

(1) All ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered, and including rentals and other payments required to be made as a condition of the continued use or possession for the purpose of trade or business of property to which the taxpayer has not taken, or is not taking title or in which he has no equity.

(2) Interest paid or accrued, within the taxable year, as an ordinary and necessary expense in production of income.

(3) Taxes paid or accrued, within the taxable year, as an ordinary and necessary expense in the production of income. Ordinary and necessary expense shall not include any tax levied on or measured by income of any individual or corporation.

(4) Losses from debts ascertained to be worthless and charged off during the taxable year of such ascertainment, if sustained in the conduct of the regular trade or business of the taxpayer during the period covered by this Act if the amount of the same has been included in the gross income of the said trade or business.

(5) A reasonable allowance for the exhaustion, wear and tear of property from which any income is derived including a reasonable allowance for obsolescence. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar condition in each case based upon the cost, including the cost of development not otherwise deducted; such reasonable allowance in all cases to be made under rules and regulations to be prescribed by the department of revenue. In case of leasehold interests, the deduction allowed by this section shall be equitably proportioned between the lessor and the lessee.

(a) Adjusted gross income of federal and state savings and loan associations shall not include dividends paid or accrued, during the tax year, to members of such federal and state savings and loan associations.

(6) The amounts received by a corporation as dividends from a corporation, or any subsidiary corporation of which the parent corpora-

tion owns as much as fifty percent of the capital stock, which is taxable under this Act upon the adjusted gross income of the parent corporation or the subsidiary.

(3) (a) Life Insurance Companies. The term "life insurance company" as used in this Act shall have the same meaning as in Section 801 of the United States Internal Revenue Code of 1954.

(b) Other Insurance Companies. The term "other insurance company" as used in this Act shall mean an insurance company as defined in Act No. 77 of the Second Special Session of the Alabama Legislature of 1955 except companies defined in subsection (3) (a) of this Section 1.

(4) (a) Adjusted Gross Income of Life Insurance Companies. The words "adjusted gross income" with respect to a "life insurance company" shall mean its gross investment income less the ordinary and necessary expenses paid or incurred in acquiring such income and less the interest required to maintain its reserves on outstanding policies and supplementary contracts on the basis shown in the annual statement filed by the life insurance company with the Superintendent of Insurance of the State of Alabama.

(b) Adjusted Gross Income of Mutual and Other Insurance Companies. The words "adjusted gross income" with respect to "Mutual," "reciprocal" or "interinsurance exchanges" and "Other" insurance companies shall have the same meaning as the term "taxable income" as defined for "mutual" companies and "reciprocal" or "interinsurance exchanges" in Section 822, and for "other" companies in Section 832, of the United States Internal Revenue Code of 1954.

(c) Adjusted Gross Income of Foreign Insurance Companies. The adjusted gross income of a life insurance company or other insurance company organized under the laws of any country or of any state of the United States other than the State of Alabama shall mean the adjusted gross income of such company as defined hereinabove less a percentage of such adjusted gross income determined by the ratio which the company's premium income paid by citizens of countries or states other than the State of Alabama bears to the company's total premium income.

Section 2. In addition to all other taxes now imposed by law there is hereby levied and imposed a special tax on the incomes of individuals and domestic corporations from whatever source derived within this State, and on the income of every foreign corporation doing business in Alabama which is derived from its property situated within this state and from its business done and transacted within this state, which tax shall be assessed, collected and paid at the rates specified herein, for each year, as hereinafter provided. The tax shall be computed on the adjusted gross income as herein defined.

If the adjusted gross income is:	The tax shall be:
Not over \$2,000 but more than \$1,000.....	.0050 of the taxable income.
Over \$2,000 but not over \$3,000.....	\$10.00, plus .0060 of excess over \$2,000.
Over \$3,000 but not over \$4,000.....	\$16.00, plus .0065 of excess over \$3,000.
Over \$4,000 but not over \$5,000.....	\$22.50, plus .0070 of excess over \$4,000.
Over \$5,000 but not over \$6,000.....	\$29.50, plus .0075 of excess over \$5,000.

Over \$6,000 but not over \$7,000.....	\$40.00, plus .0080 of excess over \$6,000.
Over \$7,000 but not over \$8,000.....	\$48.00, plus .0085 of excess over \$7,000.
Over \$8,000 but not over \$9,000.....	\$56.50, plus .0090 of excess over \$8,000.
Over \$9,000 but not over \$10,000.....	\$65.50, plus .0095 of excess over \$9,000.
Over \$10,000 but not over \$12,000.....	\$75.00, plus .0100 of excess over \$10,000.
Over \$12,000 but not over \$14,000.....	\$95.00, plus .0150 of excess over \$12,000.
Over \$14,000 but not over \$16,000.....	\$125.00, plus .0200 of excess over \$14,000.
Over \$16,000 but not over \$18,000.....	\$165.00, plus .0250 of excess over \$16,000.
Over \$18,000 but not over \$20,000.....	\$215.00, plus .0300 of excess over \$18,000.
Over \$20,000 but not over \$22,000.....	\$275.00, plus .0350 of excess over \$20,000.
Over \$22,000 but not over \$25,000.....	\$345.00, plus .0375 of excess over \$22,000.
Over \$25,000 but not over \$35,000.....	\$457.00, plus .0385 of excess over \$25,000.
Over \$35,000 but not over \$50,000.....	\$842.00, plus .0395 of excess over \$35,000.
Over \$50,000 but not over \$65,000.....	\$1,434.00, plus .0400 of ex- cess over \$50,000.
Over \$65,000 but not over \$80,000.....	\$2,034.00, plus .0405 of ex- cess over \$65,000.
Over \$80,000 but not over \$90,000.....	\$2,641.50, plus .0407 of ex- cess over \$80,000.
Over \$90,000 but not over \$100,000.....	\$3,048.50, plus .0408 of ex- cess over \$90,000.
Over \$100,000.....	\$3,456.50, plus .015 of excess over \$100,000.

Persons and subjects taxable under this Act are: (1) Every individual residing in Alabama; (2) every corporation domiciled in Alabama or licensed or qualified to transact business in Alabama; (3) every corporation doing business in Alabama or deriving income from sources within Alabama, including income from property located in Alabama; (4) every resident individual or corporation acting in a fiduciary capacity; (5) every estate and trust resident in the State of Alabama to the extent of its undistributed adjusted gross income; (6) every nonresident individual receiving taxable income from property owned or business transacted in Alabama; (7) every natural person domiciled in the State of Alabama, and every other natural person who maintains a permanent place of abode within the State or spends in the

aggregate more than seven months of the income year within the State, shall be presumed to be residing within the State for the purposes of determining liability for taxes under this Act;

The tax levied and imposed in this section on the adjusted income for the calendar year 1955, or for that pro rata part of the adjusted income applicable to any fiscal year ending in 1955 shall be due on January 1, 1956, and shall be paid on or before April 15, 1956; provided, however, the tax for the year 1955 may be paid in four equal quarterly installments, the last installment to be paid on or before September 30, 1956.

The tax levied and imposed in this section shall be assessed, collected and paid in the year 1956 upon and with respect to the taxable income for the year 1956, or for any fiscal year ending during the year 1956, and each year thereafter such tax shall be assessed, collected and paid as provided in subsequent sections of this Act.

Section 3. The following corporations and organizations shall be exempt from taxation under this Act: (1) Religious and Apostolic organizations as defined in Internal Revenue Code. (2) Corporations, and any community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific testing for public safety, literary, research or educational purposes no part of the net earnings of which inures to the benefit of any private stockholder or individual. (3) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local association of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes. (4) Clubs organized and operated exclusively for pleasure, recreation, and other non-profit purposes no part of the net earnings of which inures to the benefit of any private stockholder or individual. (5) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt under this Act. (6) Non-Profit Hospitals. (7) Charitable trusts and pension trusts which are exempt from Federal income tax and State of Alabama income tax.

Section 4. (1) Every employer who makes payment of wages shall deduct and withhold upon such wages of all employees where adjusted income exceeds one thousand dollars per annum a tax equal to one-half of one percent of the amount of wages paid, or to be paid in the calendar year of such employer. As used herein, the term "employer" shall have the same meaning as the term has under the income tax laws of the United States with respect to income tax collected at the source; the term "wages" and the term "employees" shall have the same meaning as those terms have under such laws.

(2) At the election of the employer with respect to such employee, the employer may deduct and withhold upon the wages paid to such employee a tax determined on the basis of tables to be prepared and furnished by the department of revenue, hereinafter referred to as "the department," which tax shall be substantially equivalent to the tax provided in this Act, and which shall be in lieu of the tax required in subdivision (1).

(3) In determining the amount to be deducted and withheld under this section, the wages may, at the election of the employer, be computed to the nearest dollar.

(4) The department may by regulation authorize employers: 1) to estimate the wages which will be paid to any employee in any quarter

of the calendar year; 2) to determine the amount to be deducted and withheld upon ~~each payment of wages to such employee~~ during such quarter as if the appropriate average of the wages so estimated constituted the actual wages paid; 3) to deduct and withhold upon any payment of wages to such employee during such quarter such amount as may be necessary to adjust the amount actually deducted and withheld upon the wages of such employee during such quarter to the amount that would be required to be deducted and withheld during such quarter if the payroll period of the employee was quarterly.

(5) The department is authorized to provide by regulations for withholding in addition to that otherwise required under this section, and in cases in which the employer and employee agree to such additional withholding. Such additional withholding shall for all purposes be considered tax required to be deducted and withheld under this Act.

Section 5. The remuneration paid by an employer to an employee for services performed during one-half or more of any payroll period of not more than thirty-one consecutive days constitutes wages, all the remuneration paid by such employer to such employee for such period shall be deemed to be wages; but if the remuneration paid by an employer to an employee for services performed during more than one-half of any such payroll period does not constitute wages, then none of the remuneration paid by such employer to such employee for such period shall be deemed to be wages.

Section 6. Every employer required to deduct and withhold tax under Section 4 of this Act shall, for the quarterly period beginning January 1, 1956, and for each quarterly period thereafter, on or before the last day of the month following the close of each quarterly period, make return and pay over to the department of revenue, the tax required to be withheld under Section 4.

If the department has reason to believe that the collection of the tax provided for in Section 4 of this Act is in jeopardy in any case, it may require the employer to make such return and pay such tax at any time.

Every employer who fails to withhold or pay to the department any sums required by this Act to be withheld and paid shall be personally and individually liable therefor to the State of Alabama, and any sum or sums withheld in accordance with the provisions of Section 4 of this Act shall be deemed to be held in trust for the State of Alabama.

In the event an employer fails to withhold or pay over to the department any amount required to be withheld under Section 4 of this Act, such amount may be assessed against such employer in the same manner as is prescribed for the assessment of income taxes under the provisions of Section 407 of Title 51, Code of 1940. Such employer may appeal from such final assessment in the same manner as is prescribed by law for appeals by the taxpayer. When no appeal is taken by the employer, execution may be issued upon the final assessment in the same manner as is provided by law for the issuance of an execution by the department of revenue.

The State shall have a lien upon all the property of any employer who fails to withhold or pay over to the department sums required to be withheld under Section 4 of this Act. If the employer withholds but fails to pay the amount withheld to the department, the lien shall accrue as of the date the amount withheld was required to be paid to the department. If the employer fails to withhold, the lien shall accrue at the time the liability of the employer becomes fixed.

Section 7. Every person required to deduct and withhold from an employee a tax under Section 4 of this Act shall furnish to each such

employee in respect of the remuneration paid by such person to such employee during the calendar year, on or before January 31 of the succeeding year, or, if his employment is terminated before the close of such calendar year, within 30 days from the day on which the last payment or remuneration is made, a written statement showing the following: a) the name of such person; b) the name of the employee and his social security account number, if any; c) the total amount of wages as defined in Section 5 of this Act; d) the total amount deducted and withheld as tax under Section 4 of this Act.

The statement required to be furnished by this section in respect of any wages shall be furnished at such other times, shall contain such other information, and shall be in such form as the department may by regulations prescribe. A duplicate of such statement, if made and filed in accordance with regulations prescribed by the department, shall constitute the return required to be made in respect to such wages under Section 393 of Title 51 of the 1940 Code. The department may promulgate regulations providing for reasonable extensions of time to employers required to furnish statements under this section.

Section 8. An employer shall be liable for the payment of the tax required to be deducted and withheld under Section 4 of this Act, and shall not be liable to any person for the amount of any such payment.

Section 9. Where there has been an overpayment of tax under Section 4 of this Act, refund or credit shall be made to the employer only to the extent that the amount of such overpayment was not deducted and withheld under Section 4 of this Act by the employer.

Unless written application for refund or credit is received by the department from the employer within two years from the date the overpayment is made, no refund or credit shall be allowed.

Section 10. The amount deducted and withheld as tax under Section 4 of this Act during any calendar year upon the wages of any individual shall be allowed as a credit to the recipient of the income against the tax imposed by Section 2 of this Act for taxable years beginning in such calendar year. If more than one taxable year begins in such calendar year such amount shall be allowed as a credit against the tax for the last taxable year so beginning. Where there has been an overpayment of any tax imposed under Section 2 of this Act, the amount of such overpayment may be credited against any tax levied by this Act or any installment thereof then due from the taxpayer, and any balance shall be refunded to the taxpayer.

Overpayments of taxes collected pursuant to Section 4 of this Act shall be refunded with interest at six percentum per annum. This interest shall not begin to accrue until ninety days after the overpayment is made, the return is filed, or the due date of the return, whichever is later. Exclusive authority to refund overpayments of taxes collected pursuant to this Act is vested in the Commissioner of Revenue or his authorized agents. No refund shall be made of less than one dollar.

Section 11. Every individual shall at the time prescribed in this section make a declaration of his estimated tax for the taxable year, if his income from sources other than wages can reasonably be expected to exceed one thousand dollars for the taxable year. In the declaration required the individual shall state: a) the amount which he estimates as the amount of tax under this Act for the taxable year; b) the amount which he estimates as a credit for the taxable year under Section 4 of this Act; c) the excess of the amount estimated under a) over the amount estimated under d), which excess for purposes of this Act shall be considered the estimated tax for the taxable year; d) such

other information as may be prescribed in regulations promulgated by the department of revenue.

The declaration required shall be filed with the department on or before April fifteenth of the taxable year, except that if the requirements of this section as to income are first met after April 1 and before June 1 of the taxable year, the declaration shall be filed on or before June 15 of the taxable year; or after June 1 and before September 1 of the taxable year, the declaration shall be filed on or before September 15 of the taxable year; or if after September 1 of the taxable year, the declaration shall be filed on or before January 15 of the succeeding taxable year.

An individual may make amendments of the declaration filed during the taxable year under such regulations as the department may prescribe.

If the declaration is not required to be filed during the taxable year, but is required to be filed on or before such January 15, such return shall, for the purposes of this section, be considered as such declaration; and if the tax shown on the return reduced by the credit under Section 10 of this Act is greater than the estimated tax shown in the declaration previously made, or, in the last amendment thereof, such return shall, for the purposes of this section, be considered as the amendment of the declaration permitted by this section to be filed on or before January 15. The department shall promulgate regulations governing reasonable extensions of time for filing declarations and paying the estimated tax; provided that, except in the case of taxpayers who are abroad, no such extension shall be for more than six months. If the taxpayer is unable to make his own declaration, the declaration shall be made by duly authorized agents or by the guardian or other person charged with the care of the person or property of such taxpayer.

Section 12. (1) The estimated tax provided for in Section 11 of this Act shall be paid as follows:

(a) If the declaration is filed on or before April 15 of the taxable year, the estimated tax shall be paid in four equal installments. The first installment shall be paid at the time of the filing of the declaration, and the second and third of June 15 and September 15, respectively, of the taxable year, and the fourth on January 15 of the succeeding year.

(b) If the declaration is filed after April 15 and not after June 15 of the taxable year and is not required by Section 11 of this Act to be filed on or before April 15 of the taxable year, the estimated tax shall be paid in three equal installments. The first installment shall be paid at the time of the filing of the declaration and the second on September 15 of the taxable year and the third on January 15 of the succeeding year.

(c) If the declaration is filed after June 15 and not after September 15 of the taxable year and is not required by Section 11 of this Act to be filed on or before June 15 of the taxable year, the estimated tax shall be paid in two equal installments; the first installment shall be paid at the time of the filing of the declaration and the second on January 15 of the succeeding year.

(d) If the declaration is filed after September 15 of the taxable year, and is not required by Section 11 of this Act to be filed on or before September 15 of the taxable year, the estimated tax shall be paid in full at the time of the filing of the declaration.

(e) If the declaration is filed after the time prescribed in Section 11 of this Act, including cases where extensions of time have been

granted, paragraphs (b), (c), and (d) of this section shall not apply, and there shall be paid at the time of such filing all installments of estimated tax which would have been payable on or before such time if the declaration had been filed within the time prescribed by Section 11 of this Act, and the remaining installments shall be paid at the times at which and in the amounts in which they would have been payable if the declaration had been so filed.

(2) If any amendment of a declaration is filed, the remaining installments, if any, shall be ratably increased or decreased as the case may be, to reflect the respective increase or decrease in the estimated tax by reason of such amendment; and if any amendment is made after October 15 of the taxable year any increase in the estimated tax by reason thereof shall be paid at the time of making such amendment.

(3) At the election of the individual, any installment of the estimated tax may be paid prior to the date prescribed for its payment.

(4) Payment of the estimated tax, or any installment thereof, shall be considered payment on account of the tax for the taxable year.

(5) In the case of an individual whose estimated gross income from farming for the taxable year is at least two-thirds of the total estimated gross income from all sources for the taxable year, in lieu of the time prescribed in Section 11 of this Act, the declaration for the taxable year may be made at any time on or before February 15 of the succeeding taxable year; and if such an individual files a return on or before February 28 of the succeeding taxable year, and pays in full the amount computed on the return as payable, such return shall have the same effect as that prescribed in Section 11 of this Act in the case of a return filed on or before January 15 of the succeeding taxable year.

(6) The application of this section and of Section 11 of this act to taxable years of less than twelve months shall be as prescribed in regulations promulgated by the department.

(7) In the application of this section and Section 11 of this Act to taxpayers reporting income on a fiscal year basis, there shall be substituted for the dates specified therein, the months corresponding thereto.

Section 13. (a) In the case of individuals the total balance of the tax owed after credits for taxes paid through withholding as provided in Section 4 of this Act or through declaration as provided in Sections 11 and 12 of this Act shall be due and payable on the fifteenth day of April following the close of the calendar year, or if the return should be made on the basis of a fiscal year, then on the fifteenth day of the fourth month following the close of the fiscal year.

(b) In the case of fiduciaries, the total amount of the tax imposed by this Act shall be paid on the fifteenth day of April following the close of the calendar year or if the return should be made on the basis of a fiscal year, then on the fifteenth day of the fourth month following the close of the fiscal year.

(c) In the case of corporations the total amount of the tax imposed by this Act shall be paid on the fifteenth day of March following the close of the calendar year, or if the return shall be made on the basis of the fiscal year, then on the fifteenth day of the third month following the close of the fiscal year.

(d) In the case of a corporation, the taxpayer may elect to pay the tax in four equal installments, in which case the first installment shall be paid on the date prescribed for the payment of the tax by the taxpayer, the second installment shall be paid on the fifteenth day of



~~the third month, the third installment on the fifteenth day of the sixth month, and the fourth installment on the fifteenth day of the ninth month,~~ after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of the tax unpaid shall be paid upon notice and demand from the department of revenue.

(e) In the case of a fiduciary, the taxpayer may elect to pay the tax in four equal installments, in which case the first installment shall be paid on the date prescribed for the payment of the tax by the taxpayer, the second installment shall be paid on the fifteenth day of the second month, the third installment shall be paid on the fifteenth day of the fifth month, and the fourth installment on the fifteenth day of the eighth month, after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of the tax unpaid shall be paid upon notice and demand from the department of revenue.

(f) At the request of the taxpayer, the department may extend the time for payment of the amount determined as the tax due by the taxpayer, or any installment thereof, for a period of not to exceed three months from the date prescribed for the payment of the tax or any installment thereof. In such case the amount in respect of which the extension shall be paid on or before the date of expiration of the period of the extension.

(g) The tax imposed by this Act or any installment thereof may be paid, at the election of the taxpayer, prior to the date prescribed for its payment.

Section 14. (1) Any employer required under the provisions of Section 4 of this Act to withhold taxes on wages and make quarterly returns and payment of amounts withheld to the department, who fails to withhold such taxes, or to make such returns, or who fails to remit amounts collected to the department, shall be liable for payment of the amount of taxes which should have been withheld and in addition shall be subject to a civil penalty equal to twenty-five percent of the amount of taxes that should have been properly withheld and paid over to the department for each such failure. Such tax and penalty shall be assessed and collected by the department and the assessment of such tax and penalty may be assessed in the manner provided in Section 407, of Title 51, of the 1940 Code of Alabama.

(2) (a) In the case of a failure to make and file a declaration of estimated tax within the time prescribed in Section 11 of this Act, unless such failure is shown to the satisfaction of the department to be due to reasonable cause and not to willful neglect, there shall be added to the tax five percent of each installment due but unpaid, and one percent of the unpaid amount thereof for each month, except the first, or fraction thereof during which such amount remains unpaid. In no event shall the aggregate addition to the tax under this subparagraph with respect to any installment due but unpaid, exceed ten percent of the unpaid portion of such installment. For the purposes of this subparagraph, the amount and due date of each installment shall be the same as if a declaration had been filed within the time prescribed showing an estimated tax equal to the correct tax reduced by the credit allowed by Section 11 of this Act.

(b) Where a declaration of estimated tax has been made and filed within the time prescribed, or where a declaration of estimated tax has been made and filed after the time prescribed and the department has found that failure to make and file such declaration within the time prescribed was due to reasonable cause and not to willful neglect, in the case of a failure to pay an installment of the estimated tax within the time prescribed, unless such failure is shown to the satisfaction of

the department to be due to reasonable cause and not to willful neglect, there shall be added to the tax five percent of the unpaid amount of such installment and, in addition, one percent of such unpaid amount for each month, except the first, or fraction thereof during which such amount remains unpaid. In no event shall the aggregate addition to the tax under this subparagraph with respect to any installment due but unpaid, exceed ten percent of the unpaid portion of such installment.

(3) If eighty percent of the tax, determined without regard to the credit for tax withheld in the case of individuals other than farmers exercising an election under Section 11 of this Act, or sixty-six and two-thirds percent of such tax so determined in the case of such farmers, exceeds the estimated tax, increased by such credit, there shall be added to the tax an amount equal to such excess, or equal to six percent of the amount by which such tax so determined exceeds the estimated tax so increased, whichever is the lesser. This subsection shall not apply to the taxable year in which falls the death of the taxpayer, nor shall it apply to the taxable year in which the taxpayer makes a timely payment on April 15, June 15, September 15, of each year, or on January 15 of the year succeeding the taxable year, or in the case of farmers exercising an election under Section 11 of this Act within the last quarter, and making payment in an amount at least as great as though computed on the basis of the facts shown on his return for the preceding taxable year.

(4) Any penalty imposed by subsections (1), (2), or (3), of this section, shall be assessed, collected, and paid in the same manner as if it were a deficiency.

(5) Every tax imposed by this Act, and all increases, interest and penalties thereof, shall become a personal debt to the state from the taxpayer or other person liable therefor from the time it is due and payable.

Section 15. Every individual taxpayer having an adjusted gross income of one thousand dollars (\$1,000.00) or over shall each year, make under oath to the department of revenue a return stating specifically the items of his gross income and his ordinary and necessary expenses incurred in earning this gross income. Returns made on the basis of the calendar year shall be made on or before the fifteenth day of April following the close of the calendar year. Returns made on the basis of a fiscal year shall be made on or before the fifteenth day of the fourth month following the close of the fiscal year. The department may grant a reasonable extension of time for filing returns under such rules and regulations as it shall prescribe.

Every partnership and every fiduciary (except receivers appointed by authority of law in possession of part only of the property of a taxpayer) shall make a return showing such facts as shall allow the department of revenue to correctly enforce this Act. Such returns shall be filed at the same times that individuals and corporations are required to file returns.

Every corporation, joint stock company, or association subject to the provisions of this Act shall make a return to the department of revenue for each taxable year stating specifically the items of its gross income and the necessary and ordinary business expenses incurred in earning this income. The return shall be sworn to by the president or other principal officer, and by the treasurer or assistant treasurer. In cases where a receiver, a trustee, or an assignee is operating the business of a corporation, such receiver, trustee, or assignee shall make returns for such corporation. Returns made on the basis of the calendar year shall be made on or before the fifteenth day of April following the

close of the calendar year. Returns made on the basis of a fiscal year ~~shall be made on or before the fifteenth day of the fourth month following the close of the fiscal year.~~ The department may grant a reasonable extension of time for filing returns under such rules and regulations as it shall prescribe.

Section 16. Any person or corporation, joint stock company, or association liable for tax under this Act, who shall fail to make returns as required by this Act within the time allowed or who shall fail to pay such tax shall be liable for a penalty of ten percent of such tax which may be assessed and collected as a part of the tax. The tax provided for in this Act shall be assessed and fixed by the department of revenue. Where the department of revenue determines that the amount due is different from that shown by the taxpayer's return, notice of such different amount shall be given to the taxpayer by registered mail, return receipt requested, giving the taxpayer notice of the amount so fixed, and the department shall fix a day, not less than fifteen days from date of such notice, for hearing any protest of the taxpayer. The time and place of such hearing shall be designated by such notice. Upon hearing such protest or if the taxpayer fails to appear on the day set, the department of revenue shall finally fix, determine, and assess the amount of tax due and notify the taxpayer thereof by registered mail. Within thirty days from the date of mailing the letter advising the taxpayer of such assessment the taxpayer may appeal from such assessment in the same manner as from assessments made by the department of revenue as provided for in Title 51, Code of Alabama 1940.

Any person or corporation failing or refusing to make a list or return required by this Act, or rendering a willfully false or fraudulent list or return, shall be assessed by the department of revenue on account of such tax in such manner as appears to it from the best information obtainable, either by examination of the defaulting taxpayer or any other evidence. In case of failure or neglect to make such list or return, the department of revenue may at its discretion add a penalty of not more than twenty-five percent as a penalty to the amount of the tax due; and in the case of a willfully false or fraudulent return or list having been rendered, the department of revenue shall add a penalty of not more than fifty percent as a penalty to said tax.

Section 17. The proceeds of the tax hereby levied shall be remitted by the state department of revenue to the state treasurer. All proceeds, less the amount appropriated to pay the cost of collection, are hereby appropriated to the Alabama Special Educational Trust Fund. There shall be appropriated each fiscal year to the state department of revenue the amount necessary to defray the expense of collecting the tax hereby imposed, which amount shall be deducted from the proceeds of the tax. It is provided, however, that the appropriation shall be budgeted and allotted in the manner prescribed by Article 3, Chapter 4, Title 55, Code of Alabama (1940).

Section 18. Nothing in this Act shall be construed to require declarations of estimated income to be filed by estates and trusts.

Section 19. Any laws or parts of laws in conflict with this Act are hereby repealed.

Section 20. The provisions of this Act are hereby declared to be severable; and should any section, term, or provision herein be declared unconstitutional, such declaration shall not in any manner affect the remaining sections, terms, or provisions of this Act.

Section 21. This Act shall become effective upon the ratification of an amendment of the Constitution of Alabama relating to the levy

of a tax on gross income; the operation of the Act depends upon the ratification of such amendment; if the amendment is not ratified and proclaimed as prescribed by law, this Act shall have no effect whatsoever.

### CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Goodwyn, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 788, said report being set out in the above and foregoing Report of the Committee of Conference.

Yeas 51; Nays 30.

#### Yeas:

Mr. Speaker	Gist	Lee (Barbour)	Ramey
Albea	Goodwyn	Lee (Lawrence)	Roberts
Brannan	Grouby	Love	Selman
Brassell	Hain	McLendon	Shumate
Broadfoot	Haltom	McNider	Simon
Brooks	Hare	Martin	Solomon
Brown (Lamar)	Harrison	Mathews	Speaks
Burkhalter	Hawkins	Money	Steagall
Cox	Hodges	Nettles	Summerlin
Crook	Holliman	Nice	Taylor
deGraffenried	Kendall	Nolen	Thomas
Dement	Killough	Oakley	Tyson
Gilchrist	Law	Payne	

—51

#### Nays:

Messrs.	Cornett	Hardy	Meeks
Ashworth	Davis	Harvey	Merrill
Boyd	Dawkins	Jenkins	Perry
Bradford	DeSear	Kaul	Pruitt
Branyon	Edwards (Escambia)	Kirkham	Richardson
Brewer	Faulk	Locke (Choctaw)	Stembridge
Brown (Lee)	Hall	Locke (Perry)	Stokes
Callahan	Hanby	McKay	

—30

And said bill:

H. 788. To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 67; Nays 8.

#### Yeas:

Mr. Speaker	Brewer	deGraffenried	Hain
Albea	Broadfoot	Dement	Hall
Ashworth	Brown (Lamar)	Edwards (Escambia)	Haltom
Boyd	Burkhalter	Faulk	Hanby
Bradford	Callahan	Gilchrist	Hare
Brannan	Cornett	Gist	Harrison
Branyon	Cox	Goodwyn	Harvey
Brassell	Crook	Grouby	Hawkins

Hodges	Love	Oden	Solomon
Holliman	McLendon	Payne	Speaks
Huddleston	McNider	Perry	Steagall
Kaul	Martin	Pirkle	Stembridge
Kendall	Mathews	Ramey	Summerlin
Killough	Merrill	Richardson	Taylor
Lackey	Money	Roberts	Thomas
Lee (Barbour)	Nettles	Selman	Tyson
Lee (Lawrence)	Nolen	Simon	

—67

**Nays:**

Messrs.	Kirkham	Meeks	Oakley
Brown (Lee)	McKay	Nice	Pruitt
Dawkins			

—8

**CONSIDERATION OF H. 206 RESUMED**

And the bill:

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

As amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 3.

**Yeas:**

Mr. Speaker	Dement	Lackey	Oden
Albea	DeSear	Law	Payne
Ashworth	Edwards (Escambia)	Lee (Barbour)	Pirkle
Boyd	Gilchrist	Lee (Lawrence)	Pruitt
Bradford	Gist	Locke (Choctaw)	Ramey
Brannan	Grouby	Locke (Perry)	Richardson
Branyon	Hain	Love	Roberts
Brassell	Hall	McKay	Selman
Brewer	Haltom	McNider	Shumate
Broadfoot	Hanby	Martin	Solomon
Brown (Lamar)	Hare	Mathews	Speaks
Brown (Lee)	Harrison	Meeks	Steagall
Burkhalter	Harvey	Merrill	Stembridge
Cornett	Hodges	Molette	Summerlin
Cox	Holliman	Money	Taylor
Crook	Huddleston	Nettles	Thomas
Davis	Jenkins	Nolen	Tyson
Dawkins	Killough	Oakley	Vacca
deGraffenried	Kirkham		

—74

**Nays:** Messrs: Kaul, Kendall and Perry.

—3

**MOTION TO RECONSIDER**

The motion of Mr. Dawkins to reconsider the vote by which the bill, H. 206, as amended, was passed, was lost.

**MOTION LOST**

The motion of Mr. deGraffenried to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 221, was lost.

Yeas 52; Nays 17.

**Yeas:**

Mr. Speaker	DeSear	Hawkins	Payne
Ashworth	Edwards <sup>(Escambia)</sup>	Hodges	Roberts
Boyd	Edwards <sup>(Jefferson)</sup>	Holliman	Selman
Bradford	Faulk	Jenkins	Shumate
Brannan	Gilchrist	Killough	Simon
Branyon	Hain	Lackey	Speaks
Brewer	Hall	Locke <sup>(Choctaw)</sup>	Steagall
Callahan	Haltom	Locke <sup>(Perry)</sup>	Stembridge
Cox	Hanby	McKay	Stokes
Davis	Hardy	Martin	Summerlin
Dawkins	Hare	Merrill	Taylor
deGraffenried	Harrison	Money	Tyson
Dement	Harvey	Nolen	Vacca

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**Nays:**

Mr. Speaker	Crook	Kirkham	McLendon
Albea	Gist	Law	McNider
Broadfoot	Grouby	Lee <sup>(Lawrence)</sup>	Perry
Brown <sup>(Lamar)</sup>	Huddleston	Love	Richardson
Cornett	Kaul		

—17

**MOTION ADOPTED**

The motion of Mr. Kendall to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 835, was adopted.

**And the bill:**

H. 835. To propose an amendment to the Constitution of Alabama authorizing the issuance of not exceeding one million dollars (\$1,000,000.00) aggregate principal amount of general obligation bonds of the State of Alabama, the proceeds of which shall be used for the purpose of financing the construction of tuberculosis sanatoria; and to provide for the payment of the principal and interest on such bonds and for the retirement thereof.

**Was taken up.**

Mr. Kendall offered the following substitute for the bill, H. 835:

**SUBSTITUTE FOR H. B. 835**

**A BILL  
TO BE ENTITLED  
AN ACT**

To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection, construction and equipping of hospitals, health centers, and related medical facilities within the State; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest-bearing bonds in the amount not to exceed \$2,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held the first Tuesday after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

**AMENDMENT**

"(a) Notwithstanding anything contained in the Constitution of the State of Alabama, or any amendment thereto heretofore adopted, the Governor shall from time to time issue negotiable interest bearing bonds for the purposes and in the manner and subject to the limitations stated in this amendment. The bonds shall be general obligations of the State of Alabama and the full faith and credit and taxing power of the State are hereby pledged to the punctual payment of the bonds and the interest thereon. The aggregate principal amount of all bonds issued hereunder shall not exceed two million (\$2,000,000) and they shall mature within ten years from the date of issuance.

The proceeds from the sale of such bonds are hereby appropriated and shall be used solely for the construction and equipping of hospitals, health centers, and related medical facilities pursuant to Act No. 211, General Acts of Alabama 1945, page 330, and approved July 7, 1945; and Act 287, General Acts of Alabama 1945, 474, approved July 7, 1945; and Act No. 46, General and Local Acts 1949, page 68, approved June 2, 1949; as said acts are now or may hereafter be amended; and such facilities established and operated by the corporate authorities of a city or town, or a county governing body under the provisions of Title 22, Section 189, Code of Alabama 1940, as same is now or may hereafter be amended; or any act supplemental thereto or amendatory thereof. The funds provided hereby shall be used only for construction and equipping facilities under contracts which have been or are 1st on or after July 1, 1955; shall be used to match Federal funds available for hospital, health center, and related medical facilities provided under Public Law 725, 79th Congress and Public Law 482, 83rd Congress, as said Public Laws are now or may hereafter be amended; and that the local governments in the area where each hospital, health center, or related medical facility is to be constructed or equipped shall contribute at least as much money for the construction and equipping as does the State; and provided further that the State shall not contribute more than two hundred and fifty thousand (\$250,000) to the construction and equipping of any tuberculosis hospital or sanatoria and one hundred thousand (\$100,000) for any other facility included within the scope of this amendment.

In determining where a hospital, health center, or related medical facility to be constructed with funds appropriated herein shall be located, consideration shall be given to the communities on the basis of relative need. Each county having no hospital, health center or related medical facility shall have first priority. Counties receiving prior allotments hereunder shall not be precluded from receiving an additional allotment for other facilities at the discretion of the State Board of Health. A sum not to exceed forty thousand dollars (\$40,000) may be used by the State Board of Health from the proceeds of the sale of said bonds for administering the provisions of this amendment.

(b). All bonds issued hereunder and the interest thereon shall be payable from any funds in the State treasury not otherwise appropriated. The bonds shall be payable in substantially equal installments of principal and interest beginning in the next fiscal year after their date; they shall bear interest at a rate not to exceed 2½% and they shall contain a provision for their call for payment at such a time or times prior to

maturity, and at such a premium, if any, as the governor may prescribe in the notice of sale. All bonds issued hereunder shall be sold to the best bidder at a duly advertised public sale, on sealed bids or at auction, and shall not be sold for less than par and accrued interest; provided, bidders may be invited to name the rate or rates of interest, which the bonds are to bear. The right to reject any or all bids shall be reserved.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

And the substitute was adopted.

Yeas 83; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kelly	Oakley
Ashworth	Edwards (Jefferson)	Kendall	Oden
Bassett	Faulk	Killough	Payne
Boyd	Ferrell	Kirkham	Perry
Bradford	Gilchrist	Lackey	Pirkle
Brannan	Gregory	Law	Pruitt
Branyon	Grouby	Lee (Barbour)	Ramey
Brassell	Hain	Lee (Lawrence)	Roberts
Brewer	Hall	Locke (Choctaw)	Selman
Broadfoot	Haltom	Locke (Perry)	Shumate
Brooks	Hanby	Love	Simon
Brown (Lamar)	Hardy	McKay	Speaks
Brown (Lee)	Hare	McLendon	Steagall
Callahan	Harrison	McNider	Stembridge
Cornett	Harvey	Martin	Stokes
Crook	Hawkins	Mathews	Summerlin
Davis	Hodges	Merrill	Taylor
Dawkins	Holliman	Money	Thomas
deGraffenried	Huddleston	Nettles	Tyson
Dement	Jenkins	Nice	Vacca
DeSear	Kaul	Nolen	

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And said bill, H. 835, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

**Yeas:**

Mr. Speaker	Branyon	Callahan	Dement
Ashworth	Brassell	Cornett	DeSear
Bassett	Brewer	Crook	Edwards (Escambia)
Boyd	Broadfoot	Davis	Edwards (Jefferson)
Bradford	Brown (Lamar)	Dawkins	Faulk
Brannan	Brown (Lee)	deGraffenried	Gilchrist



Gist	Jenkins	McNider	Pruitt
Gregory	Kaul	Martin	Ramey
Grouby	Kelly	Mathews	Roberts
Hain	Kendall	Meeks	Selman
Hall	Killough	Merrill	Shumate
Haltom	Kirkham	Money	Simon
Hanby	Lackey	Nettles	Speaks
Hardy	Lee (Barbour)	Nice	Steagall
Hare	Lee (Lawrence)	Nolen	Stokes
Harrison	Locke (Choctaw)	Oakley	Summerlin
Harvey	Locke (Perry)	Oden	Taylor
Hawkins	Love	Payne	Thomas
Hodges	McKay	Perry	Tyson
Holliman	McLendon	Pirkle	Vacca
Huddleston			

—81

## MOTION ADOPTED

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 960, was adopted.

And the bill:

H. 960. To provide further for financing the operation of schools and educational institutions: authorizing the Alabama Public Schools Corporation created by Article 10, Chapter 10, Title 52, Code 1940, to borrow money on behalf of certain institutions and agencies, to issue notes or warrants in evidence thereof, to pay interest thereon, and to pledge the proceeds of current appropriations to secure the repayment thereof, in the same manner and subject to the same restrictions, conditions and limitations as such corporation is authorized to make loans for the public schools and pledge the proceeds of minimum program fund appropriations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

## Yeas:

Mr. Speaker	Edwards (Jefferson)	Kendall	Nolen
Ashworth	Faulk	Killough	Oakley
Bassett	Ferrell	Kirkham	Oden
Boyd	Gist	Lackey	Payne
Bradford	Gregory	Law	Perry
Brannan	Grouby	Lee (Barbour)	Pirkle
Branyon	Hain	Lee (Lawrence)	Pruitt
Brassell	Hall	Locke (Choctaw)	Ramey
Brewer	Haltom	Locke (Perry)	Selman
Broadfoot	Hanby	Love	Simon
Brown (Lamar)	Hardy	McKay	Solomon
Callahan	Hare	McLendon	Speaks
Cornett	Harrison	McNider	Steagall
Crook	Harvey	Martin	Stembridge
Davis	Hawkins	Mathews	Stokes
Dawkins	Hodges	Meeks	Summerlin
deGraffenried	Holliman	Merrill	Taylor
Dement	Huddleston	Money	Thomas
DeSear	Jenkins	Nettles	Tyson
Edwards (Escambia)	Kelly	Nice	Vacca

—80

## MOTION ADOPTED

The motion of Mr. Nettles to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 117, was adopted.

And the bill:

S. 117. To recognize the Alabama Association of School Board Members as an organization and representative agency of the members of the school boards of the State; to authorize State and local school boards and agencies to cooperate with said association in its programs; and to confer powers and authority upon said Association and the several school boards of the State in carrying out the objectives of the Association.

Was read a third time at length and passed.

Yeas 71; Nays 0.

## Yeas:

Mr. Speaker	DeSear	Holliman	Nettles
Albea	Edwards (Escambia)	Jenkins	Nolen
Ashworth	Edwards (Jefferson)	Killough	Oakley
Bassett	Faulk	Kirkham	Oden
Boyd	Ferrell	Lackey	Payne
Bradford	Gist	Lee (Barbour)	Pirkle
Brannan	Gregory	Lee (Lawrence)	Pruitt
Branyon	Grouby	Locke (Choctaw)	Ramey
Brassell	Hain	Locke (Perry)	Selman
Brewer	Hall	Love	Speaks
Brown (Lamar)	Haltom	McKay	Steagall
Brown (Lee)	Hanby	McLendon	Stembridge
Callahan	Hardy	McNider	Stokes
Cornett	Hare	Martin	Summerlin
Crook	Harrison	Mathews	Taylor
Davis	Harvey	Meeks	Thomas
deGraffenried	Hawkins	Molette	Vacca
Dement	Hodges	Money	

—71

## MOTION ADOPTED

The motion of Mr. Money to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 255, was adopted.

And the bill:

H. 255. To provide further for acquiring rights of way for state roads.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

## Yeas:

Mr. Speaker	Brassell	Cornett	Edwards (Escambia)
Boyd	Brewer	Crook	Edwards (Jefferson)
Bradford	Broadfoot	Davis	Faulk
Brannan	Brown (Lamar)	Dement	Gist
Branyon	Brown (Lee)	DeSear	Gregory

Grouby	Kirkham	Nettles	<del>Salman</del>
<del>Haltom</del>	<del>Lee (Barbour)</del>	Nice	Simon
Hanby	Lee (Lawrence)	Nolen	Speaks
Hare	Locke (Perry)	Oakley	Stokes
Harrison	McKay	Oden	Summerlin
Harvey	McLendon	Payne	Taylor
Hawkins	McNider	Perry	Thomas
Jenkins	Martin	Pirkle	Tyson
Kelly	Meeks	Richardson	Vacca
Kendall	Money	Roberts	

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## MOTION ADOPTED

The motion of Mr. Thomas to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 506, was adopted.

And the bill:

H. 506. To Amend Section 3 of an Act Entitled "An Act to Regulate the Handling, Sale and Distribution of Barbiturates" approved August 15, 1947 (General Acts of 1947, Page 179.)

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

## Yeas:

Mr. Speaker	Edwards (Jefferson)	Lackey	Payne
Albea	Ferrell	Lee (Barbour)	Perry
Ashworth	Gregory	Lee (Lawrence)	Pirkle
Boyd	Grouby	Locke (Choctaw)	Ramey
Bradford	Hain	Locke (Perry)	Richardson
Branyon	Hall	McKay	Roberts
Brassell	Haltom	McLendon	Simon
Brewer	Hardy	McNider	Solomon
Broadfoot	Hare	Martin	Speaks
Brown (Lee)	Harrison	Mathews	Steagall
Callahan	Harvey	Meeks	Stembridge
Cornett	Hawkins	Money	Stokes
Crook	Holliman	Nettles	Summerlin
Davis	Jenkins	Nice	Taylor
deGraffenried	Kaul	Nolen	Thomas
Dement	Kelly	Oakley	Tyson
DeSear	Kendall	Oden	Vacca
Edwards (Escambia)	Kirkham		

—70

## MOTION ADOPTED

The motion of Mr. Thomas to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 507, was adopted.

And the bill:

H. 507. To Amend Section 232 of Title 22 of the Code of Alabama of 1940, as Amended:

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

**Yeas:**

Mr. Speaker	Ferrell	Kirkham	Payne
Albea	Gilchrist	Lackey	Perry
Boyd	Gregory	Lee (Barbour)	Pirkle
Bradford	Grouby	Lee (Lawrence)	Ramey
Branyon	Hain	Locke (Choctaw)	Richardson
Brassell	Hall	Locke (Perry)	Roberts
Brewer	Haltom	McKay	Simon
Brown (Lamar)	Hanby	McLendon	Solomon
Brown (Lee)	Hardy	McNider	Speaks
Callahan	Hare	Martin	Steagall
Cornett	Harrison	Meeks	Stembridge
Crook	Harvey	Merrill	Stokes
Davis	Hawkins	Money	Summerlin
deGraffenried	Holliman	Nettles	Taylor
Dement	Jenkins	Nice	Thomas
DeSear	Kelly	Nolen	Tyson
Edwards (Escambia)	Kendall	Oakley	Vacca
Edwards (Jefferson)	Killough		

—70

**CERTIFICATE OF CLERK**

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:30 A.M. On August 19, 1955:

H. 585

H. 755

H. 781

H. 865

H. 808

H. 811

H. 813

H. 817

H. 818

H. 819

H. 823

H. 866

H. 832

H. 833

H. 853

H. 856

H. 859

H. 864

H. 836

H. 273

Delivered to the Secretary of State at 10:45 A.M. On August 19, 1955:

H. 799

H. 831

R. T. GOODWYN, JR.,  
Clerk.

## ADJOURNMENT

Mr. Locke (Choctaw) moved that the House adjourn until Tuesday, August 23, 1955, at eleven o'clock A.M.

Mr. Money offered as a substitute, a motion to adjourn until Tuesday, August 23, 1955, at ten o'clock A.M., and the motion was adopted.

## THIRTY-THIRD DAY

House of Representatives  
Montgomery, Alabama  
Tuesday, August 23, 1955

The House met pursuant to adjournment.

## PRAYER

The session was opened with prayer by the Reverend A. Hamilton Reid, Executive Secretary-Treasurer, Alabama Baptist Convention, Montgomery, Alabama.

## ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dement	Hodges	McNider
Adams	DeSear	Holliman	Martin
Albea	Dickson	Huddleston	Mathews
Ashworth	Edwards (Escambia)	Hunt	Mathison
Bassett	Edwards (Jefferson)	Jenkins	Meeks
Boyd	Faulk	Johnson (Elmore)	Merrill
Bradford	Ferrell	Johnson (Tallapoosa)	Molette
Brannan	Franklin	Kaul	Money
Branyon	Gilchrist	Kelly	Murphy
Brassell	Gist	Kendall	Nettles
Brewer	Goodwyn	Killough	Nice
Broadfoot	Gregory	Kirkham	Nolen
Brooks	Grouby	Lackey	Oakley
Brown (Lamar)	Hain	Law	Oden
Brown (Lee)	Hall	Lee (Barbour)	Payne
Burkhalter	Haltom	Lee (Lawrence)	Perry
Callahan	Hanby	Locke (Choctaw)	Pirkle
Cornett	Hardy	Locke (Perry)	Pruitt
Cox	Hare	Love	Ramey
Crook	Harrison	McClendon	Reynolds
Dawkins	Harvey	McKay	Richardson
deGraffenried	Hawkins	McLendon	Roberts

Selman  
Shumate  
Simon  
Solomon

Speaks  
Steagall  
Stembridge  
Stokes

Summerlin  
Taylor  
Thomas  
Tyson

Vacca  
Ward  
Windle  
Wood

—104

A quorum was present.

#### REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-second legislative day and finds the same to be correct.

RANKIN FITE,  
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the thirty-second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirty-second legislative day was approved.

#### REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee:

H. R. 71. BE IT RESOLVED BY THE HOUSE that the following bills in the order named be made special, paramount and continuing order of business for today, taking precedence over bills now on Special Order:

1. H. B. No. 675	Page 1
2. H. B. No. 724	Page 2
3. H. B. No. 816	Page 53
4. H. B. No. 951	Page 67
5. H. B. No. 961	Page 75
6. H. B. No. 194	Page 4
7. H. B. No. 178	Page 3
8. H. B. No. 554	Page 70
9. H. B. No. 221	Page 72
10. H. B. No. 251	Page 34
11. H. B. No. 458	Page 22
12. H. B. No. 461	Page 22
13. H. B. No. 557	Page 68
14. H. B. No. 564	Page 36
15. H. B. No. 950	Page 66
16. H. B. No. 714	Page 55

17. H. B. No. 797

Page 51

18. H. B. No. 814

Page 54

19. H. B. No. 1006

Page 77

BE IT FURTHER RESOLVED that the following bill be placed at the bottom of the existing Special Order:

H. B. No. 757

Page 75

And H. R. 71 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 70. Relative to the location of one of the additional trade schools at Draper Prison.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 68. Relative to the death of Mr. John Thomas Johnson, father of Representative J. T. Johnson.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. B. 211. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Lamberth, Boutwell and Van Antwerp.

**J. E. SPEIGHT,**  
Secretary.

#### BILLS ON SECOND READING

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 879. To amend an Act approved July 10, 1940, entitled "An Act to provide for the distribution of the 1940 Code of Alabama, abridgments, editions or portions thereof; to provide for the conservation of sets distributed; to authorize the sale thereof and to provide an appropriation to carry out the purposes of this Act" (Act No. 650, S. 498, General Acts of Alabama, 1939, p. 1023).

Mr. Lackey Vice-Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1024. To alter or rearrange the boundary lines of the Town of Vestavia Hills, Alabama, so as to include within the corporate limits of said Town territory not already included therein.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1015. To amend further Sections 1 and 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County, Alabama, on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge.

H. 1013. To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

H. 1029. To provide for a court of limited jurisdiction in Beat 12 of Talladega County; to provide for the court's officers and their term,



powers, duties, compensation, and method of selection; to prescribe the jurisdiction of the court; to regulate its procedure and process; to provide for the return of warrants thereto; to fix the costs, charges, and commissions collectible in the court; to provide for appeals from the court; and to regulate the abolition of the court.

H. 1012. Proposing an amendment to the Constitution of Alabama relating to the powers and authority of the court of county commissioners, board of revenue, or like governing body of Marion and Lamar counties.

The above bill was read a second time at length as required by the Constitution.

H. 1026. To authorize and empower the sheriff of Wilcox County to appoint an additional deputy whose compensation shall be paid in part out of the general fund in the county treasury.

H. 1011. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

H. 1009. Relating to Chilton County: To amend Act No. 872, H. 1118 approved September 12, 1951, which established the Board of Revenue and Control of Chilton County and abolished the Court of County Commissioners.

H. 1031. To create the office of Deputy Solicitor for Chilton County; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; and to repeal all general and local laws in conflict herewith so far as they relate to Chilton County, Alabama.

S. 355. Relating to Macon County: To authorize and empower the county board of education of Macon County to discharge, with or without cause, and with or without notice or hearing, any teacher in the public school system on continuing service status, notwithstanding the provisions of the general law relating to the tenure and employment of teachers.

H. 1008. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

H. 1010. Relating to the election of the Mayor of the City of Russellville, Alabama, by providing for a second or run-off election

in the event no candidate for the office of Mayor receives in the first or regular election a majority of the votes cast therein.

H. 1019. To amend Sections 1 and 2 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the chairman and members of the Board of Revenue and Control of Morgan County.

H. 1018. For the relief of James Maxwell of Morgan County: Authorizing and directing the court of county commissioners, board of revenue, or like county governing body of Morgan County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of one thousand dollars (\$1,000.00) to compensate James Maxwell for personal injuries suffered by him while acting within the line and scope of his employment with the county, leaving his permanently partially disabled.

H. 1017. To amend Act No. 436, H. 938, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the county superintendent of education of Morgan County, Alabama.

H. 1016. To amend Section 1 of Act No. 68, H. 263, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 51), which provided for the appointment of a deputy register for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy register.

H. 1014. To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

H. 1022. To amend Section 1 of Act No. 424, H. 868, approved August 27, 1953 (Acts of Alabama, 1953, p. 525), which authorized the Board of Revenue and Control of Morgan County, Alabama, to provide the sheriff of the county with deputies and jailers and to fix their compensation.

H. 1021. To amend Section 1 of Act No. 64, H. 259, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 45), which provided for the appointment of a deputy clerk for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy clerk.

H. 1020. Relating to Morgan County; fixing the compensation of the chief deputy of the sheriff of Morgan County, Alabama.

H. 1023. To amend Section 17 of an Act, approved July 7, 1947, entitled "An Act to amend an act approved September 24, 1919 entitled 'An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court' as last amended."; and to provide that this Act shall be retroactive.

H. 1027. Relating to Winston County: Creating the Winston County Commission on Education to administer the public school laws, supervise the public school system, and promote the educational interests of the county; abolishing the board of education of Winston County

and the office of county superintendent of education; ~~providing for the election of members of the Commission and for the election of a~~ superintendent of county schools, fixing their terms, qualifications, and compensation, and prescribing their powers and duties.

H. 1025. To alter and extend the boundary lines and corporate limits of the City of Cordova in Walker County, Alabama.

H. 1032. To alter or rearrange the boundary lines of the Town of Ragland, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

H. 992. To provide for and require the reidentification of each qualified elector in DeKalb County, Alabama, and to require the Board of Registrars in DeKalb County to take the necessary action to purge the lists of the qualified electors in DeKalb County and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a willfully false statement in connection with reidentification shall be guilty of perjury; to provide for transfer of certain duties pertaining to preparation of ballots, list of voters, supervision and control of voters' lists and expenses of same from the office of the Judge of Probate to the Board of Registrars; to provide for the appointment of a secretary for the board of Registrars, and to fix his compensation, method of appointment and to provide for other employees of the Board of Registrars; to fix the duties of the secretary of the Board of Registrars, and to provide for the payment of the compensation of the secretary of the board of Registrars and other employees of the Board from the general fund of DeKalb County. Alabama.

S. 353. To impose in Winston County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naptha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agent for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax; to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

Mr. Branyon Chairman of the Standing Committee on Constitution and Elections reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 769. Providing that every person, firm, or corporation who sells or furnishes any tractor, scraper, motor vehicle, machinery or like equipment of any kind, or part therefor, or repairs thereto, the purchase price of which exceeds Twenty-Five Dollars (\$25.00), shall have a lien for the full price thereof on the vehicle; providing for the recording of such lien and for the enforcement thereof.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 316 (with substitute). To make an appropriation for the promotion and advertisement of Alabama through sponsorship of the Blue and Gray Football Game.

### BILLS ON THIRD READING

S. 337. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed.

Yeas 79; Nays 0.

#### Yeas:

Mr. Speaker	Faulk	Johnson (Elmore)	Nolen
Adams	Ferrell	Killough	Oakley
Ashworth	Franklin	Kirkham	Oden
Bassett	Gilchrist	Lackey	Payne
Boyd	Gist	Law	Perry
Bradford	Gregory	Lee (Barbour)	Pirkle
Branyon	Grouby	Lee (Lawrence)	Pruitt
Brassell	Hain	Locke (Choctaw)	Ramey
Broadfoot	Hall	Locke (Perry)	Reynolds
Brown (Lamar)	Haltom	Love	Selman
Brown (Lee)	Hanby	McClendon	Shumate
Burkhalter	Hardy	McKay	Simon
Callahan	Harrison	McNider	Speaks
Cornett	Harvey	Martin	Stembridge
Cox	Hawkins	Mathison	Taylor
Dawkins	Hodges	Molette	Thomas
deGraffenried	Holliman	Money	Ward
DeSear	Huddleston	Murphy	Windle
Dickson	Hunt	Nettles	Wood
Edwards (Escambia)	Jenkins	Nice	

—79

#### And the bill:

H. 969. To establish an inferior court of record to be called the Bessemer Civil and Criminal Court; to define the jurisdiction and power of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment

of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same; and to otherwise provide for said Court. Said Court to be created in the precinct or precincts lying within or partly within the City of Bessemer, Jefferson County, Alabama. Said Court to be created in lieu of all Justices of the Peace and Notary Public ex-officio Justices of the Peace in said precinct or precincts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 1.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Johnson (Elmore)	Nice
Adams	Faulk	Kelly	Nolen
Albea	Ferrell	Killough	Oakley
Ashworth	Franklin	Kirkham	Oden
Bassett	Gilchrist	Lackey	Payne
Boyd	Gist	Law	Perry
Bradford	Gregory	Lee (Lawrence)	Pirkle
Branyon	Grouby	Locke (Choctaw)	Pruitt
Brassell	Hain	Locke (Perry)	Ramey
Brewer	Hall	Love	Reynolds
Broadfoot	Haltom	McClendon	Richardson
Brown (Lamar)	Hanby	McKay	Selman
Brown (Lee)	Hardy	McNider	Shumate
Burkhalter	Harrison	Martin	Simon
Callahan	Harvey	Mathison	Speaks
Cornett	Hawkins	Merrill	Stembridge
Cox	Hodges	Molette	Vacca
deGraffenried	Holliman	Money	Ward
DeSear	Huddleston	Murphy	Windle
Dickson	Hunt	Nettles	Wood
Edwards (Escambia)	Jenkins		

—82

Nays: Mr. Kaul.

—1

And the bill:

H. 984. Relating to counties having a population of not less than 63,700 nor more than 70,000 inhabitants, according to the last or any subsequent federal decennial census; exempting purchases of medical, surgical, and hospital supplies from any system of competitive bidding now or hereafter provided by law for any such county, or any office, department, board, agency, or institution thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

**Yeas:**

Mr. Speaker	Bassett	Branyon	Brown (Lamar)
Adams	Boyd	Brassell	Burkhalter
Albea	Bradford	Brewer	Callahan
Ashworth	Brannan	Broadfoot	Cox

deGraffenried	Harrison	Love	Pirkle
DeSear	Harvey	McClendon	Pruitt
Dickson	Hawkins	McKay	Ramey
Edwards (Escambia)	Hodges	McNider	Reynolds
Edwards (Jefferson)	Holliman	Mathison	Selman
Faulk	Huddleston	Merrill	Shumate
Ferrell	Hunt	Molette	Simon
Franklin	Jenkins	Money	Speaks
Gilchrist	Johnson (Elmore)	Murphy	Steagall
Gist	Kelly	Nettles	Stembridge
Gregory	Kirkham	Nice	Taylor
Hain	Lackey	Nolen	Vacca
Hall	Law	Oakley	Ward
Haltom	Lee (Lawrence)	Oden	Windle
Hanby	Locke (Choctaw)	Payne	Wood
Hardy	Locke (Perry)		

—79

And the bill:

H. 985. Relating to Walker County: To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of Walker County to cover the employees of said county under the Workmen's Compensation Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Jenkins	Nettles
Adams	Faulk	Johnson (Elmore)	Nice
Albea	Ferrell	Kelly	Nolen
Ashworth	Franklin	Killough	Oakley
Bassett	Gilchrist	Kirkham	Payne
Boyd	Gist	Lackey	Pruitt
Brannan	Gregory	Lee (Lawrence)	Ramey
Branyon	Grouby	Locke (Choctaw)	Reynolds
Brassell	Hain	Locke (Perry)	Selman
Brewer	Hall	Love	Shumate
Broadfoot	Haltom	McClendon	Speaks
Brown (Lamar)	Hanby	McKay	Steagall
Brown (Lee)	Hardy	McNider	Stembridge
Burkhalter	Harrison	Martin	Taylor
Callahan	Harvey	Mathison	Vacca
Cox	Hawkins	Merrill	Ward
deGraffenried	Hodges	Molette	Windle
Dickson	Holliman	Money	Wood
Edwards (Escambia)	Hunt	Murphy	

—75

And the bill:

H. 986. Relating to cities and towns in counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census; providing that the territorial limits of the police jurisdiction outside the corporate limits of any such city or town shall not be extended or changed by altering, extending, or rearranging the boundary lines or corporate limits of the city or town through the annexation of adjoining territory.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Jenkins	Nice
Albea	Edwards (Escambia)	Johnson (Elmore)	Nolen
Ashworth	Edwards (Jefferson)	Kelly	Oakley
Bassett	Faulk	Killough	Oden
Boyd	Ferrell	Kirkham	Payne
Bradford	Franklin	Lackey	Pirkle
Brannan	Gilchrist	Law	Pruitt
Branyon	Gist	Lee (Lawrence)	Ramey
Brassell	Gregory	Locke (Choctaw)	Reynolds
Brewer	Grouby	Locke (Perry)	Selman
Broadfoot	Hall	Love	Shumate
Brooks	Hanby	McClendon	Speaks
Brown (Lamar)	Hardy	McNider	Steagall
Brown (Lee)	Hare	Martin	Stembridge
Burkhalter	Harrison	Mathison	Taylor
Callahan	Harvey	Merrill	Thomas
Cornett	Hawkins	Molette	Vacca
Cox	Hodges	Money	Ward
deGraffenried	Huddleston	Murphy	Windle
DeSear	Hunt	Nettles	Wood

—80

**And the bill:**

H. 987. Relating to Walker County; authorizing qualified electors living within the limits of the police jurisdiction of any city or town in the county to vote at municipal elections held by the city or town within whose police jurisdiction they reside, and directing the governing body of each incorporated municipality in the county to designate the place at which electors may vote.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kelly	Nolen
Albea	Edwards (Jefferson)	Kirkham	Oakley
Ashworth	Ferrell	Lackey	Oden
Bassett	Franklin	Law	Pirkle
Boyd	Gist	Lee (Lawrence)	Pruitt
Bradford	Gregory	Locke (Choctaw)	Ramey
Brannan	Grouby	Locke (Perry)	Reynolds
Branyon	Hall	Love	Selman
Brassell	Haltom	McClendon	Shumate
Broadfoot	Hardy	McNider	Solomon
Brooks	Hare	Martin	Speaks
Brown (Lamar)	Harrison	Mathison	Steagall
Brown (Lee)	Harvey	Merrill	Stembridge
Burkhalter	Hawkins	Molette	Taylor
Callahan	Hodges	Money	Vacca
Cornett	Holliman	Murphy	Ward
Cox	Hunt	Nettles	Windle
DeSear	Jenkins	Nice	Wood
Dickson	Johnson (Elmore)		

—74

**And the bill:**

H. 988. Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Jenkins	Nice
Adams	Faulk	Johnson (Elmore)	Nolen
Albea	Ferrell	Kelly	Oakley
Ashworth	Franklin	Killough	Payne
Bassett	Gilchrist	Kirkham	Pirkle
Boyd	Gist	Lackey	Pruitt
Bradford	Gregory	Law	Ramey
Brannan	Grouby	Lee (Barbour)	Reynolds
Brassell	Hain	Lee (Lawrence)	Selman
Brewer	Hall	Locke (Choctaw)	Shumate
Broadfoot	Haltom	Locke (Perry)	Solomon
Brooks	Hanby	Love	Speaks
Brown (Lee)	Hardy	McClendon	Steagall
Burkhalter	Hare	McKay	Stembridge
Callahan	Harrison	McNider	Taylor
Cornett	Harvey	Martin	Thomas
Cox	Hawkins	Mathison	Vacca
Dawkins	Hodges	Merrill	Ward
deGraffenried	Holliman	Molette	Windle
Dickson	Huddleston	Money	Wood
Edwards (Escambia)	Hunt	Nettles	

—83

**And the bill:**

H. 989. Relating to counties having a population of not less than 22,750 nor more than 23,500 inhabitants, according to the last or any subsequent federal decennial census; authorizing the county board of education of such counties to cancel the contract with any teacher by unanimous vote of the members of the board; and authorizing, directing, and requiring the county board of education of such counties to cancel the contract with any teacher who advocates integration of the races in the public schools, or who is a member of any organization or association which advocates integration of the races in the public schools.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

**Yeas:**

Mr. Speaker	Brooks	Faulk	Harrison
Adams	Brown (Lamar)	Ferrell	Harvey
Albea	Brown (Lee)	Franklin	Hawkins
Ashworth	Burkhalter	Gist	Hodges
Bassett	Cornett	Grouby	Holliman
Boyd	Cox	Hain	Hunt
Bradford	DeSear	Hall	Jenkins
Brannan	Dickson	Hall	Kelly
Branyon	Dickson (Escambia)	Hanby	Kendall
Brassell	Edwards (Jefferson)	Hardy	Killough
		Hare	



Kirkham	Martin	Payne	Speaks
<del>Locke</del>	<del>Mathison</del>	<del>Pirkle</del>	<del>Stegall</del>
Law	Merrill	Pruitt	Stembridge
Lee (Lawrence)	Molette	Ramey	Taylor
Locke (Choctaw)	Money	Reynolds	Thomas
Locke (Perry)	Murphy	Selman	Vacca
Love	Nolen	Shumate	Ward
McClendon	Oakley	Simon	Windle
McKay	Oden	Solomon	Wood
McNider			

—78

**And the bill:**

H. 990. Relating to the Office of Sheriff of Calhoun County: Providing for the furnishing of necessary supplies, materials, and equipment to the Sheriff; and repealing Sections 1, 3, and 7 of Act No. 607, H. 641, approved September 4, 1951 (Acts of Alabama, 1951, Page 1043).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Hunt	Nettles
Adams	Edwards (Escambia)	Jenkins	Nolen
Albea	Edwards (Jefferson)	Johnson (Elmore)	Oden
Ashworth	Faulk	Kelly	Payne
Bassett	Ferrell	Killough	Pirkle
Boyd	Franklin	Kirkham	Pruitt
Bradford	Gilchrist	Lackey	Ramey
Brannan	Gist	Law	Reynolds
Branyon	Goodwyn	Lee (Barbour)	Selman
Brassell	Gregory	Lee (Lawrence)	Shumate
Brewer	Grouby	Locke (Choctaw)	Simon
Broadfoot	Hain	Locke (Perry)	Solomon
Brooks	Hall	Love	Speaks
Brown (Lamar)	Haltom	McClendon	Stegall
Brown (Lee)	Hanby	McKay	Stembridge
Burkhalter	Hardy	McNider	Taylor
Callahan	Hare	Martin	Thomas
Cornett	Harrison	Mathison	Vacca
Cox	Harvey	Molette	Ward
Dawkins	Hawkins	Money	Windle
deGraffenried	Hodges	Murphy	Wood
DeSear	Holliman		

—86

**And the bill:**

H. 991. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Chilton County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

**Yeas:**

Mr. Speaker	Bassett	Brannan	Brewer
Adams	Boyd	Branyon	Broadfoot
Albea	Bradford	Brassell	Brooks

Brown (Lamar)	Hall	Lee (Barbour)	Pirkle
Brown (Lee)	Haltom	Lee (Lawrence)	Pruitt
Burkhalter	Hanby	Locke (Choctaw)	Ramey
Callahan	Hardy	Locke (Perry)	Reynolds
Cornett	Hare	Love	Richardson
Cox	Harrison	McClendon	Selman
Dawkins	Harvey	McKay	Shumate
deGraffenried	Hawkins	McLendon	Simon
DeSear	Hodges	McNider	Solomon
Dickson	Holliman	Mathison	Speaks
Edwards (Escambia)	Huddleston	Merrill	Steagall
Edwards (Jefferson)	Hunt	Molette	Stembridge
Faulk	Jenkins	Money	Stokes
Ferrell	Johnson (Elmore)	Murphy	Taylor
Franklin	Kelly	Nettles	Thomas
Gilchrist	Kendall	Nice	Vacca
Gist	Killough	Nolen	Ward
Gregory	Kirkham	Oakley	Windle
Grouby	Lackey	Oden	Wood
Hain	Law	Payne	

—91

**And the bill:**

H. 999. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nolen
Adams	Edwards (Jefferson)	Kelly	Oakley
Albea	Faulk	Kendall	Oden
Ashworth	Ferrell	Killough	Payne
Bassett	Franklin	Kirkham	Pirkle
Boyd	Gilchrist	Lackey	Pruitt
Bradford	Gist	Law	Ramey
Brannan	Goodwyn	Lee (Barbour)	Reynolds
Branyon	Gregory	Lee (Lawrence)	Selman
Brassell	Grouby	Locke (Choctaw)	Shumate
Brewer	Hain	Locke (Perry)	Simon
Broadfoot	Hall	McClendon	Solomon
Brooks	Hanby	McKay	Speaks
Brown (Lamar)	Hardy	McLendon	Steagall
Burkhalter	Hare	McNider	Stembridge
Callahan	Harrison	Martin	Stokes
Cornett	Harvey	Mathison	Taylor
Cox	Hodges	Merrill	Thomas
Crook	Holliman	Molette	Vacca
Dawkins	Huddleston	Money	Ward
deGraffenried	Hunt	Murphy	Windle
Dickson	Jenkins	Nettles	Wood

—88

**And the bill:**

H. 1000. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Adams	Faulk	Kelly	Oakley
Albea	Ferrell	Killough	Oden
Ashworth	Franklin	Kirkham	Payne
Bassett	Gilchrist	Lackey	Pirkle
Boyd	Gist	Law	Pruitt
Bradford	Goodwyn	Lee (Barbour)	Ramey
Brannan	Gregory	Lee (Lawrence)	Reynolds
Branyon	Grouby	Locke (Choctaw)	Richardson
Brassell	Hain	Locke (Perry)	Selman
Brewer	Hall	Love	Shumate
Broadfoot	Haltom	McClendon	Simon
Brown (Lamar)	Hanby	McKay	Solomon
Burkhalter	Hardy	McLendon	Speaks
Callahan	Hare	McNider	Steagall
Cornett	Harvey	Martin	Stembridge
Cox	Hawkins	Mathison	Stokes
Crook	Hodges	Merrill	Taylor
Dawkins	Holliman	Molette	Thomas
deGraffenried	Huddleston	Money	Ward
DeSear	Hunt	Murphy	Windle
Dickson	Jenkins	Nettles	Wood
Edwards (Escambia)	Johnson (Elmore)	Nice	

—91

**And the bill:**

H. 1002. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Hawkins	McKay
Adams	Edwards (Jefferson)	Hodges	McLendon
Albea	Faulk	Holliman	McNider
Ashworth	Ferrell	Huddleston	Martin
Bassett	Franklin	Hunt	Mathison
Boyd	Gilchrist	Jenkins	Merrill
Bradford	Gist	Johnson (Elmore)	Molette
Brannan	Goodwyn	Johnson (Tallapoosa)	Money
Branyon	Gregory	Kelly	Murphy
Brassell	Grouby	Killough	Nettles
Brewer	Hain	Kirkham	Nice
Broadfoot	Hall	Lackey	Nolen
Burkhalter	Haltom	Law	Oden
Callahan	Hanby	Lee (Barbour)	Payne
Cornett	Hardy	Lee (Lawrence)	Pirkle
Cox	Hare	Locke (Choctaw)	Pruitt
deGraffenried	Harrison	Locke (Perry)	Ramey
Dickson	Harvey	McClendon	Reynolds

Richardson  
Selman  
Shumate  
Simon

Solomon  
Speaks  
Steagall  
Stembridge

Taylor  
Thomas  
Vacca

Ward  
Windle  
Wood

—86

And the bill:

H. 1003. To amend Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker  
Adams  
Albea  
Ashworth  
Bassett  
Boyd  
Bradford  
Brannan  
Branyon  
Brassell  
Brewer  
Broadfoot  
Brown (Lamar)  
Burkhalter  
Callahan  
Cornett  
Cox  
Crook  
deGraffenried  
DeSear  
Dickson  
Edwards (Escambia)  
Edwards (Jefferson)

Faulk  
Ferrell  
Franklin  
Gilchrist  
Gist  
Gregory  
Grouby  
Hain  
Hall  
Haltom  
Hanby  
Hardy  
Hare  
Harrison  
Harvey  
Hodges  
Holliman  
Huddleston  
Hunt  
Jenkins  
Johnson (Elmore)  
Johnson (Tallapoosa)  
Kelly

Kendall  
Killough  
Kirkham  
Lackey  
Law  
Lee (Barbour)  
Lee (Lawrence)  
Locke (Choctaw)  
Locke (Perry)  
Love  
McClendon  
McKay  
McNider  
Martin  
Mathison  
Merrill  
Molette  
Money  
Murphy  
Nettles  
Nice  
Nolen

Oakley  
Payne  
Pirkle  
Pruitt  
Ramey  
Reynolds  
Richardson  
Selman  
Shumate  
Simon  
Solomon  
Speaks  
Steagall  
Stembridge  
Stokes  
Summerlin  
Taylor  
Thomas  
Vacca  
Ward  
Windle  
Wood

—90

And the bill:

H. 1004. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker  
Albea  
Boyd  
Bradford  
Branyon  
Brassell

Brewer  
Broadfoot  
Brown (Lamar)  
Burkhalter  
Cornett  
Cox

Crook  
Dawkins  
deGraffenried  
Dement  
DeSear  
Edwards (Escambia)

Edwards (Jefferson)  
Ferrell  
Franklin  
Gilchrist  
Gist  
Gregory

Grouby	Kelly	Martin	Ramey
<del>Hain</del>	<del>Kendall</del>	<del>Mathison</del>	<del>Reynolds</del>
Haltom	Killough	Meeks	Richardson
Hanby	Kirkham	Merrill	Selman
Hardy	Lackey	Molette	Shumate
Hare	Law	Money	Simon
Harrison	Lee (Barbour)	Murphy	Solomon
Harvey	Lee (Lawrence)	Nettles	Speaks
Hawkins	Locke (Choctaw)	Nice	Steagall
Hodges	Locke (Perry)	Nolen	Stembridge
Huddleston	Love	Oakley	Summerlin
Hunt	McClendon	Oden	Taylor
Jenkins	McKay	Payne	Thomas
Johnson (Elmore)	McLendon	Pirkle	Vacca
Johnson (Tallapoosa)	McNider	Pruitt	Ward

—84

And the bill:

H. 1005. To further regulate the preparation of jury rolls and the filling and refilling of jury boxes of Talladega County and to provide for the method of serving notice upon jurors requiring their attendance for jury service in said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Gilchrist	Kirkham	Nolen
Albea	Gist	Lackey	Oakley
Boyd	Gregory	Law	Oden
Bradford	Grouby	Lee (Barbour)	Payne
Branyon	Hain	Lee (Lawrence)	Pirkle
Brassell	Haltom	Locke (Choctaw)	Pruitt
Brewer	Hanby	Locke (Perry)	Ramey
Broadfoot	Hardy	Love	Reynolds
Brown (Lamar)	Hare	McClendon	Richardson
Burkhalter	Harrison	McKay	Selman
Cornett	Harvey	McLendon	Shumate
Cox	Hawkins	McNider	Simon
Crook	Hodges	Martin	Solomon
Dawkins	Huddleston	Mathison	Speaks
deGraffenried	Hunt	Meeks	Steagall
Dement	Jenkins	Merrill	Stembridge
DeSear	Johnson (Elmore)	Molette	Summerlin
Edwards (Escambia)	Johnson (Tallapoosa)	Money	Taylor
Edwards (Jefferson)	Kelly	Murphy	Thomas
Ferrell	Kendall	Nettles	Vacca
Franklin	Killough	Nice	Ward

—84

And the bill:

S. 343. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Boyd	Branyon	Brewer
Albea	Bradford	Brassell	Broadfoot

Brown (Lamar)	Hanby	Lee (Lawrence)	Oden
Burkhalter	Hardy	Locke (Choctaw)	Payne
Cornett	Hare	Locke (Perry)	Pirkle
Cox	Harrison	Love	Pruitt
Crook	Harvey	McClendon	Ramey
Dawkins	Hawkins	McKay	Reynolds
deGraffenried	Hodges	McLendon	Richardson
Dement	Huddleston	McNider	Selman
DeSear	Hunt	Martin	Shumate
Edwards (Escambia)	Jenkins	Mathison	Simon
Edwards (Jefferson)	Johnson (Elmore)	Meeks	Solomon
Ferrell	Johnson (Tallapoosa)	Merrill	Speaks
Franklin	Kelly	Molette	Steagall
Gilchrist	Kendall	Money	Stembridge
Gist	Killough	Murphy	Summerlin
Gregory	Kirkham	Nettles	Taylor
Grouby	Lackey	Nice	Thomas
Hain	Law	Nolen	Vacca
Haltom	Lee (Barbour)	Oakley	Ward

—84

## And the bill:

S. 344. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 200,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

Was read a third time at length and passed.

Yeas 84; Nays 0.

## Yeas:

Mr. Speaker	Ferrell	Johnson (Tallapoosa)	Merrill
Albea	Franklin	Kelly	Molette
Boyd	Gilchrist	Kendall	Money
Bradford	Gist	Killough	Murphy
Branyon	Gregory	Kirkham	Nettles
Brassell	Grouby	Lackey	Nice
Brewer	Hain	Law	Nolen
Broadfoot	Haltom	Lee (Barbour)	Oakley
Brown (Lamar)	Hanby	Lee (Lawrence)	Oden
Burkhalter	Hardy	Locke (Choctaw)	Payne
Cornett	Hare	Locke (Perry)	Pirkle
Cox	Harrison	Love	Pruitt
Crook	Harvey	McClendon	Ramey
Dawkins	Hawkins	McKay	Reynolds
deGraffenried	Hodges	McLendon	Richardson
Dement	Huddleston	McNider	Selman
DeSear	Hunt	Martin	Shumate
Edwards (Escambia)	Jenkins	Mathison	Simon
Edwards (Jefferson)	Johnson (Elmore)	Meeks	Solomon

Speaks	Stembridge	Taylor	Vacca
<del>Steagall</del>	<del>Summerlin</del>	<del>Thomas</del>	<del>Ward</del>

--84

And the bill:

S. 352. Applicable to Winston County; making provisions respecting the use of that portion of the State Gasoline Excise Tax levied under Section 647 of Title 51 of the Code of Alabama of 1940 that may be apportioned to Winston County under Section 657 of said Title 51.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Gilchrist	Kirkham	Nolen
Albea	Gist	Lackey	Oakley
Boyd	Gregory	Law	Oden
Bradford	Grouby	Lee (Barbour)	Payne
Branyon	Hain	Lee (Lawrence)	Pirkle
Brassell	Haltom	Locke (Choctaw)	Pruitt
Brewer	Hanby	Locke (Perry)	Ramey
Broadfoot	Hardy	Love	Reynolds
Brown (Lamar)	Hare	McClendon	Richardson
Burkhalter	Harrison	McKay	Selman
Cornett	Harvey	McLendon	Shumate
Cox	Hawkins	McNider	Simon
Crook	Hodges	Martin	Solomon
Dawkins	Huddleston	Mathison	Speaks
deGraffenried	Hunt	Meeks	Steagall
Dement	Jenkins	Merrill	Stembridge
DeSear	Johnson (Elmore)	Molette	Summerlin
Edwards (Escambia)	Johnson (Tallapoosa)	Money	Taylor
Edwards (Jefferson)	Kelly	Murphy	Thomas
Ferrell	Kendall	Nettles	Vacca
Franklin	Killough	Nice	Ward

—84

And the bill:

S. 354. Authorizing Winston County to sublease to any municipality or public corporation in Winston County any space not needed by it in any project at any time leased by it from a public corporation now or hereafter organized in Winston County under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Burkhalter	Edwards (Jefferson)	Hanby
Albea	Cornett	Ferrell	Hardy
Boyd	Cox	Franklin	Hare
Bradford	Crook	Gilchrist	Harrison
Branyon	Dawkins	Gist	Harvey
Brassell	deGraffenried	Gregory	Hawkins
Brewer	Dement	Grouby	Hodges
Broadfoot	DeSear	Hain	Huddleston
Brown (Lamar)	Edwards (Escambia)	Haltom	Hunt

Jenkins	Locke (Perry)	Murphy	Selman
Johnson (Elmore)	Love	Nettles	Shumate
Johnson (Tallapoosa)	McClendon	Nice	Simon
Kelly	McKay	Nolen	Solomon
Kendall	McLendon	Oakley	Speaks
Killough	McNider	Oden	Steagall
Kirkham	Martin	Payne	Stembridge
Lackey	Mathison	Pirkle	Summerlin
Law	Meeks	Pruitt	Taylor
Lee (Barbour)	Merrill	Ramey	Thomas
Lee (Lawrence)	Molette	Reynolds	Vacca
Locke (Choctaw)	Money	Richardson	Ward

—84

**And the bill:**

S. 291. To create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court.

Was read a third time at length and passed.

Yeas 84; Nays 0.

**Yeas:**

Mr. Speaker	Gilchrist	Kirkham	Nolen
Aibea	Gist	Lackey	Oakley
Boyd	Gregory	Law	Oden
Bradford	Grouby	Lee (Barbour)	Payne
Branyon	Hain	Lee (Lawrence)	Pirkle
Brassell	Haltom	Locke (Choctaw)	Pruitt
Brewer	Hanby	Locke (Perry)	Ramey
Broadfoot	Hardy	Love	Reynolds
Brown (Lamar)	Hare	McClendon	Richardson
Burkhalter	Harrison	McKay	Selman
Cornett	Harvey	McLendon	Shumate
Cox	Hawkins	McNider	Simon
Crook	Hodges	Martin	Solomon
Dawkins	Huddleston	Mathison	Speaks
deGraffenried	Hunt	Meeks	Steagall
Dement	Jenkins	Merrill	Stembridge
DeSear	Johnson (Elmore)	Molette	Summerlin
Edwards (Escambia)	Johnson (Tallapoosa)	Money	Taylor
Edwards (Jefferson)	Kelly	Murphy	Thomas
Ferrell	Kendall	Nettles	Vacca
Franklin	Killough	Nice	Ward

—84

**And the bill:**

H. 993. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.



Yeas 84; Nays 0.

**Yeas:**

Mr. Speaker	Gilchrist	Kirkham	Nolen
Albea	Gist	Lackey	Oakley
Boyd	Gregory	Law	Oden
Bradford	Grouby	Lee (Barbour)	Payne
Branyon	Hain	Lee (Lawrence)	Pirkle
Brassell	Haltom	Locke (Choctaw)	Pruitt
Brewer	Hanby	Locke (Perry)	Ramey
Broadfoot	Hardy	Love	Reynolds
Brown (Lamar)	Hare	McClendon	Richardson
Burkhalter	Harrison	McKay	Selman
Cornett	Harvey	McLendon	Shumate
Cox	Hawkins	McNider	Simon
Crook	Hodges	Martin	Solomon
Dawkins	Huddleston	Mathison	Speaks
deGraffenried	Hunt	Meeks	Steagall
Dement	Jenkins	Merrill	Stembridge
DeSear	Johnson (Elmore)	Molette	Summerlin
Edwards (Escambia)	Johnson (Tallapoosa)	Money	Taylor
Edwards (Jefferson)	Kelly	Murphy	Thomas
Ferrell	Kendall	Nettles	Vacca
Franklin	Killough	Nice	Ward

—84

**And the bill:**

H. 994. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

**Yeas:**

Mr. Speaker	Gilchrist	Kirkham	Nolen
Albea	Gist	Lackey	Oakley
Boyd	Gregory	Law	Oden
Bradford	Grouby	Lee (Barbour)	Payne
Branyon	Hain	Lee (Lawrence)	Pirkle
Brassell	Haltom	Locke (Choctaw)	Pruitt
Brewer	Hanby	Locke (Perry)	Ramey
Broadfoot	Hardy	Love	Reynolds
Brown (Lamar)	Hare	McClendon	Richardson
Burkhalter	Harrison	McKay	Selman
Cornett	Harvey	McLendon	Shumate
Cox	Hawkins	McNider	Simon
Crook	Hodges	Martin	Solomon
Dawkins	Huddleston	Mathison	Speaks
deGraffenried	Hunt	Meeks	Steagall
Dement	Jenkins	Merrill	Stembridge
DeSear	Johnson (Elmore)	Molette	Summerlin
Edwards (Escambia)	Johnson (Tallapoosa)	Money	Taylor
Edwards (Jefferson)	Kelly	Murphy	Thomas
Ferrell	Kendall	Nettles	Vacca
Franklin	Killough	Nice	Ward

—84

**And the bill:**

H. 995. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

**Yeas 84; Nays 0.**

**Yeas:**

Mr. Speaker	Gilchrist	Kirkham	Nolen
Albea	Gist	Lackey	Oakley
Boyd	Gregory	Law	Oden
Bradford	Grouby	Lee (Barbour)	Payne
Branyon	Hain	Lee (Lawrence)	Pirkle
Brassell	Haltom	Locke (Choctaw)	Pruitt
Brewer	Hanby	Locke (Perry)	Ramey
Broadfoot	Hardy	Love	Reynolds
Brown (Lamar)	Hare	McClendon	Richardson
Burkhalter	Harrison	McKay	Selman
Cornett	Harvey	McLendon	Shumate
Cox	Hawkins	McNider	Simon
Crook	Hodges	Martin	Solomon
Dawkins	Huddleston	Mathison	Speaks
deGraffenried	Hunt	Meeks	Steagall
Dement	Jenkins	Merrill	Stembridge
DeSear	Johnson (Elmore)	Molette	Summerlin
Edwards (Escambia)	Johnson (Tallahassee)	Money	Taylor
Edwards (Jefferson)	Kelly	Murphy	Thomas
Ferrell	Kendall	Nettles	Vacca
Franklin	Killough	Nice	Ward

—84

**And the bill:**

H. 996. To provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the Regular Session of the Legislature of 1923, as reenacted and amended: To include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

**Yeas 84; Nays 0.**

**Yeas:**

Mr. Speaker	Brown (Lamar)	DeSear	Grouby
Albea	Burkhalter	Edwards (Escambia)	Hain
Boyd	Cornett	Edwards (Jefferson)	Haltom
Bradford	Cox	Ferrell	Hanby
Branyon	Crook	Franklin	Hardy
Brassell	Dawkins	Gilchrist	Hare
Brewer	deGraffenried	Gist	Harrison
Broadfoot	Dement	Gregory	Harvey

Hawkins	Lee (Barbour)	Molette	Selman
Hodges	Lee (Lawrence)	Money	Shumate
Huddleston	Locke (Choctaw)	Murphy	Simon
Hunt	Locke (Perry)	Nettles	Solomon
Jenkins	Love	Nice	Speaks
Johnson (Elmore)	McClendon	Nolen	Steagall
Johnson (Tallapoosa)	McKay	Oakley	Stembridge
Kelly	McLendon	Oden	Summerlin
Kendall	McNider	Payne	Taylor
Killough	Martin	Pirkle	Thomas
Kirkham	Mathison	Pruitt	Vacca
Lackey	Meeks	Reynolds	Ward
Law	Merrill	Richardson	

—84

**And the bill:**

H. 1001. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

**Yeas:**

Mr. Speaker	Gilchrist	Kirkham	Nolen
Albea	Gist	Lackey	Oakley
Boyd	Gregory	Law	Oden
Bradford	Grouby	Lee (Barbour)	Payne
Branyon	Hain	Lee (Lawrence)	Pirkle
Brassell	Haltom	Locke (Choctaw)	Pruitt
Brewer	Hanby	Locke (Perry)	Ramey
Broadfoot	Hardy	Love	Reynolds
Brown (Lamar)	Hare	McClendon	Richardson
Burkhalter	Harrison	McKay	Selman
Cornett	Harvey	McLendon	Shumate
Cox	Hawkins	McNider	Simon
Crook	Hodges	Martin	Solomon
Dawkins	Huddleston	Mathison	Speaks
deGraffenried	Hunt	Meeks	Steagall
Dement	Jenkins	Merrill	Stembridge
DeSear	Johnson (Elmore)	Molette	Summerlin
Edwards (Escambia)	Johnson (Tallapoosa)	Money	Taylor
Edwards (Jefferson)	Kelly	Murphy	Thomas
Ferrell	Kendall	Nettles	Vacca
Franklin	Killough	Nice	Ward

—84

**And the bill:**

S. 341. To fix the supplemental salary of the Solicitor of the Tenth Judicial Circuit of Alabama, to provide that said supplemental salary shall be paid out of the general funds of Jefferson County, Alabama, and to provide when said act shall go into effect and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas 84; Nays 0.

**Yeas:**

Mr. Speaker	Boyd	Branyon	Brewer
Albea	Bradford	Brassell	Broadfoot

Brown (Lamar)	Hanby	Lee (Lawrence)	Oden
Burkhalter	Hardy	Locke (Choctaw)	Payne
Cornett	Hare	Locke (Perry)	Pirkle
Cox	Harrison	Love	Pruitt
Crook	Harvey	McClendon	Ramey
Dawkins	Hawkins	McKay	Reynolds
deGraffenried	Hodges	McLendon	Richardson
Dement	Huddleston	McNider	Selman
DeSear	Hunt	Martin	Shumate
Edwards (Escambia)	Jenkins	Mathison	Simon
Edwards (Jefferson)	Johnson (Elmore)	Meeks	Solomon
Ferrell	Johnson (Tallapoosa)	Merrill	Speaks
Franklin	Kelly	Molette	Steagall
Gilchrist	Kendall	Money	Stembridge
Gist	Killough	Murphy	Summerlin
Gregory	Kirkham	Nettles	Taylor
Grouby	Lackey	Nice	Thomas
Hain	Law	Nolen	Vacca
Haltom	Lee (Barbour)	Oakley	Ward

—84

And the bill:

H. 675. To amend Section 47, of Title 36, Code of Alabama 1940:

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 1.

Yeas:

Mr. Speaker	Dickson	Kelly	Nice
Adams	Edwards (Escambia)	Kendall	Nolen
Albea	Edwards (Jefferson)	Killough	Oakley
Ashworth	Faulk	Kirkham	Oden
Bassett	Ferrell	Lackey	Payne
Boyd	Franklin	Law	Perry
Bradford	Gilchrist	Lee (Barbour)	Pirkle
Brannan	Gist	Lee (Lawrence)	Pruitt
Branyon	Gregory	Locke (Choctaw)	Ramey
Brassell	Grouby	Locke (Perry)	Selman
Brewer	Hall	Love	Shumate
Broadfoot	Haltom	McClendon	Simon
Brooks	Hanby	McKay	Solomon
Brown (Lamar)	Hare	McLendon	Speaks
Brown (Lee)	Harrison	McNider	Steagall
Burkhalter	Harvey	Martin	Stembridge
Callahan	Hawkins	Mathison	Summerlin
Cornett	Hodges	Meeks	Taylor
Cox	Holliman	Merrill	Thomas
Crook	Hunt	Molette	Vacca
Dawkins	Jenkins	Money	Ward
deGraffenried	Johnson (Elmore)	Murphy	Windle
Dement	Kaul	Nettles	Wood

—92

Nays: Mr. Richardson.

—1

And the bill:

H. 724. To create a Legal Division within the Highway Department as a statutory division of the Highway Department and to provide for the organization, functions, and duties of said Division.

Was taken up.

Mr. Money offered the following amendment to the bill, H. 724:

**AMENDMENT TO H. B. 724**

Strike out Section 6 of the bill in its entirety and substitute therefor the following:

Section 6. When deemed necessary by the Highway Director and the Attorney General, one full-time assistant may be employed by the Legal Counsel, and such assistant shall be commissioned as an assistant Attorney General, shall be paid from Highway Department funds and shall be subject to the provisions of the Merit System Act.

The motion of Mr. Brown (Lee) to indefinitely postpone the bill, H. 724, and pending amendment, was lost.

Yeas 44; Nays 54.

**Yeas:**

Messrs.	Edwards (Jefferson)	Kaul	Nolen
Albea	Faulk	Kendall	Oakley
Bassett	Franklin	Killough	Perry
Boyd	Gilchrist	Lackey	Pruitt
Brannan	Goodwyn	Locke (Perry)	Richardson
Brooks	Hain	Love	Selman
Brown (Lee)	Haltom	McClendon	Solomon
Cornett	Hardy	McLendon	Stokes
Crook	Hare	Meeks	Taylor
deGraffenried	Hodges	Molette	Tyson
DeSear	Huddleston	Nice	Windle
Dickson			

—44

**Nays:**

Mr. Speaker	Ferrell	Kirkham	Oden
Adams	Gist	Law	Payne
Ashworth	Gregory	Lee (Barbour)	Ramey
Bradford	Grouby	Lee (Lawrence)	Reynolds
Branyon	Hall	Locke (Choctaw)	Shumate
Brewer	Hanby	McKay	Simon
Broadfoot	Harrison	McNider	Speaks
Brown (Lamar)	Hawkins	Martin	Steagall
Burkhalter	Holliman	Mathison	Stembridge
Callahan	Hunt	Merrill	Thomas
Cox	Jenkins	Money	Vacca
Dawkins	Johnson (Elmore)	Murphy	Ward
Dement	Johnson (Tallapoosa)	Nettles	Wood
Edwards (Escambia)	Kelly		

—54

And the amendment offered by Mr. Money was adopted.

Yeas 95; Nays 0.

**Yeas:**

Mr. Speaker	Boyd	Brewer	Burkhalter
Adams	Bradford	Broadfoot	Callahan
Albea	Brannan	Brooks	Cornett
Ashworth	Branyon	Brown (Lamar)	Cox
Bassett	Brassell	Brown (Lee)	Crook

deGraffenried	Harrison	Locke (Perry)	Pirkle
Dement	Harvey	Love	Pruitt
DeSear	Hawkins	McKay	Ramey
Dickson	Holliman	McLendon	Reynolds
Edwards (Escambia)	Huddleston	McNider	Richardson
Edwards (Jefferson)	Hunt	Martin	Selman
Faulk	Jenkins	Mathison	Shumate
Ferrell	Johnson (Elmore)	Meeks	Simon
Gilchrist	Johnson (Tallapoosa)	Merrill	Solomon
Gist	Kaul	Molette	Speaks
Goodwyn	Kelly	Money	Steagall
Gregory	Kendall	Murphy	Stembridge
Grouby	Killough	Nettles	Stokes
Hain	Kirkham	Nice	Summerlin
Hall	Lackey	Nolen	Taylor
Haltom	Law	Oakley	Vacca
Hanby	Lee (Barbour)	Oden	Windle
Hardy	Lee (Lawrence)	Payne	Wood
Hare	Locke (Choctaw)	Perry	

—95

Mr. Brown (Lee) offered the following substitute for the bill, H. 724, as amended:

#### SUBSTITUTE FOR HOUSE BILL 724

#### A BILL TO BE ENTITLED AN ACT

To create a Legal Division within the Highway Department as a statutory division of the Highway Department and to provide for the organization, functions, and duties of said division.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created a Legal Division of the Highway Department. Said Legal Division shall be a statutory division under the control and supervision of the Attorney General. Subject to the provisions of the Merit System, the Attorney General, with the approval of the Highway Director, may appoint an Assistant Attorney General, whose compensation shall be paid out of any money appropriated to the Highway Department for the purpose of employing or appointing clerks, assistants, accountants, engineers, and other experts. Such Assistant Attorney General shall, under the direction of the Attorney General, act as Legal Adviser to the Highway Department, have charge of all litigation concerning the Department and its orders, and perform such other duties as may be assigned to him by the Attorney General. The Assistant Attorney General, appointed under the provisions of this section, shall be head of the Division hereby created.

Section 2. The head of said Division shall be known as the Legal Counsel to the Highway Director and shall be an Assistant Attorney General, shall take the oath required of other assistant attorneys general, shall be commissioned as an Assistant Attorney General, and shall, in addition to the duties and functions herein provided for, have the duties and functions of an Assistant Attorney General, and except when performing other duties assigned by the Attorney General, he shall devote his full time to the Highway Department.

Section 3. The Legal Counsel to the Highway Director, under the supervision of the Attorney General, shall confer with and advise the

Highway Director and any and all of the subordination officers and ~~employees of the Highway Department on legal matters pertaining to~~ said Department. He shall appear for the State in litigations, both civil and criminal, affecting the Highway Department when instructed to do so by the Attorney General.

Section 4. The Legal Counsel to the Highway Director shall be under the State Merit System and subject to the rules and regulations of the State Merit System.

Section 5. The Attorney General, with the approval of the Highway Director, may appoint one full time attorney who shall be classified, and the amount of salary paid him, under the provisions of the Merit System Law. Said additional attorney shall be commissioned an Assistant Attorney General and shall perform such work pertaining to the Highway Department as shall be authorized by the Attorney General. Said additional full time attorney shall be paid from funds of the Highway Department and so much of his time as may be necessary shall be devoted to the Highway Department.

Section 6. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 7. That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

The motion of Mr. Fite to lay on the table the substitute offered by Mr. Brown (Lee) was lost.

Yeas 4; Nays 50.

#### Yeas:

Mr. Speaker	Dement	Kirkham	Pirkle
Adams	Ferrell	Law	Ramey
Bradford	Gist	Lee (Lawrence)	Reynolds
Branyon	Gregory	McNider	Shumate
Brewer	Grouby	Martin	Simon
Broadfoot	Hall	Mathison	Speaks
Brown (Lamar)	Hare	Merrill	Steagall
Burkhalter	Hawkins	Money	Stembridge
Callahan	Holliman	Murphy	Stokes
Cox	Jenkins	Nettles	Ward
Dawkins	Johnson (Tallapoosa)	Oden	Wood
deGraffenried	Kelly	Payne	

—47

#### Nays:

Messrs.	Franklin	Kendall	Nolen
Albea	Gilchrist	Killough	Oakley
Boyd	Goodwyn	Lackey	Perry
Brannan	Hain	Lee (Barbour)	Pruitt
Brooks	Halton	Locke (Choctaw)	Richardson
Brown (Lee)	Hardy	Locke (Perry)	Selman
Cornett	Harrison	Love	Solomon
Crook	Harvey	McClendon	Taylor
DeSear	Hodges	McKay	Thomas
Dickson	Huddleston	McLendon	Tyson
Edwards (Escambia)	Hunt	Meeks	Vacca
Edwards (Jefferson)	Johnson (Elmore)	Molette	Windle
Faulk	Kaul	Nice	

—50

And the substitute offered by Mr. Brown (Lee) was adopted.

Yeas 58; Nays 42.

**Yeas:**

Messrs.	Faulk	Kaul	Payne
Albea	Franklin	Kendall	Perry
Ashworth	Gilchrist	Killough	Pruitt
Bassett	Hain	Lackey	Richardson
Boyd	Haltom	Lee (Barbour)	Selman
Brannan	Hanby	Locke (Choctaw)	Solomon
Brooks	Hardy	Locke (Perry)	Speaks
Brown (Lee)	Hare	Love	Stokes
Cornett	Harrison	McKay	Taylor
Crook	Harvey	McLendon	Thomas
deGraffenried	Hodges	Meeks	Tyson
DeSear	Huddleston	Molette	Vacca
Dickson	Hunt	Nice	Ward
Edwards (Escambia)	Jenkins	Nolen	Windle
Edwards (Jefferson)	Johnson (Elmore)	Oakley	

—58

**Nays:**

Mr. Speaker	Dement	Kirkham	Nettles
Adams	Ferrell	Law	Oden
Bradford	Gist	Lee (Lawrence)	Pirkle
Branyon	Goodwyn	McClendon	Ramey
Brewer	Gregory	McNider	Reynolds
Broadfoot	Grouby	Martin	Shumate
Brown (Lamar)	Hall	Mathison	Simon
Burkhalter	Hawkins	Merrill	Steagall
Callahan	Holliman	Money	Stembridge
Cox	Johnson (Tallapoosa)	Murphy	Wood
Dawkins	Kelly		

—42

And said bill, H. 724, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 17.

**Yeas:**

Messrs.	Edwards (Escambia)	Kaul	Nolen
Adams	Edwards (Jefferson)	Kendall	Oakley
Albea	Ferrell	Killough	Oden
Ashworth	Franklin	Lackey	Payne
Bassett	Gilchrist	Law	Perry
Boyd	Grouby	Lee (Barbour)	Pruitt
Brannan	Haltom	Lee (Lawrence)	Ramey
Brassell	Hanby	Locke (Choctaw)	Reynolds
Broadfoot	Hare	Locke (Perry)	Richardson
Brooks	Harrison	Love	Selman
Brown (Lee)	Harvey	McClendon	Simon
Callahan	Hodges	McKay	Solomon
Cox	Huddleston	McLendon	Speaks
Crook	Hunt	Martin	Steagall
deGraffenried	Jenkins	Merrill	Stembridge
DeSear	Johnson (Elmore)	Molette	Stokes
Dickson	Johnson (Tallapoosa)	Murphy	Taylor



Thomas	Vacca	Windle	Wood
<del>Tyeon</del>	<del>Ward</del>		

—73

**Nays:**

Messrs.	Dement	Hall	McNider
Bradford	Gist	Hardy	Meeks
Brown (Lamar)	Goodwyn	Hawkins	Money
Cornett	Gregory	Holliman	Nice
Dawkins	Hain		

—17

**MOTION TO RECONSIDER TABLED**

On motion of Mr. Brown (Lee), his motion to reconsider the vote by which the bill, H. 724, as amended, was passed, was laid upon the table.

**And the bill:**

H. 951. To amend Section 152 of Title 41, Code of Alabama 1940, as amended, by an Act entitled "An Act to amend Section 152 of Title 41 of the Code of Alabama, 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 25.

**Yeas:**

Messrs.	Ferrell	Kelly	Payne
Adams	Franklin	Kendall	Perry
Basset	Gist	Killough	Pruitt
Boyd	Goodwyn	Lackey	Reynolds
Bradford	Gregory	Lee (Barbour)	Selman
Branyon	Grouby	Locke (Choctaw)	Simon
Brassell	Hain	McClendon	Solomon
Brewer	Hall	McKay	Steagall
Broadfoot	Haltom	McNider	Stokes
Callahan	Hardy	Martin	Summerlin
Cornett	Hare	Mathison	Taylor
Dawkins	Harrison	Merrill	Thomas
deGraffenried	Harvey	Molette	Tyson
Dement	Hawkins	Money	Vacca
Dickson	Hodges	Murphy	Ward
Edwards (Escambia)	Huddleston	Nice	Wood
Edwards (Jefferson)	Hunt	Nolen	

—66

**Nays:**

Messrs.	Crook	Kirkham	Oden
Albea	DeSear	Law	Pirkle
Ashworth	Gilchrist	Lee (Lawrence)	Richardson
Brannan	Holliman	Locke (Perry)	Speaks
Brooks	Johnson (Elmore)	McLendon	Stembridge
Brown (Lamar)	Johnson (Tallapoosa)	Oakley	Windle
Cox	Kaul		

—25

**H. 961 POSTPONED**

On motion of Mr. Hawkins, consideration of the bill, H. 961, was temporarily postponed.

Yeas 70; Nays 25.

**Yeas:**

Mr. Speaker	Dement	Johnson (Tallapoosa)	Nolen
Adams	Edwards (Escambia)	Kelly	Oden
Albea	Edwards (Jefferson)	Kendall	Payne
Ashworth	Ferrell	Lackey	Pirkle
Bradford	Franklin	Law	Ramey
Brannan	Gilchrist	Lee (Lawrence)	Reynolds
Branyon	Gist	Locke (Choctaw)	Selman
Brassell	Goodwyn	McClendon	Shumate
Brewer	Gregory	McKay	Simon
Broadfoot	Grouby	McLendon	Speaks
Brooks	Hall	McNider	Steagall
Brown (Lamar)	Haltom	Martin	Stembridge
Burkhalter	Hanby	Mathison	Stokes
Callahan	Hare	Meeks	Summerlin
Cornett	Hawkins	Merrill	Vacca
Cox	Hunt	Money	Ward
Dawkins	Jenkins	Murphy	Wood
deGraffenried	Johnson (Elmore)		

—70

**Nays:**

Messrs.	Hardy	Locke (Perry)	Pruitt
Boyd	Hodges	Love	Richardson
Brown (Lee)	Holliman	Molette	Solomon
Crook	Kaul	Nettles	Taylor
DeSear	Killough	Oakley	Thomas
Dickson	Kirkham	Perry	Windle
Faulk	Lee (Barbour)		

—25

**And the bill:**

H. 194 (with substitute). To authorize county governing bodies to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; prescribing the procedure for levying and collecting such assessments; and providing fees or allowances to officers performing duties relative to the assessing and collecting of such assessments.

**Was taken up.**

The question was upon the adoption of the substitute reported by the Standing Committee on Local Government, said committee substitute being as follows:

**LOCAL GOVERNMENT COMMITTEE SUBSTITUTE FOR H. B. 194**

**A BILL  
TO BE ENTITLED  
AN ACT**

To authorize county governing bodies to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; prescribing the procedure for levying and collecting such assessments; and providing fees or allowances to officers performing duties relative to the assessing and collecting of such assessments.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The county governing body of any county in this State is authorized, when the need therefor exists, to provide in the manner hereinafter specified protection against forest fires in such county by participating in the State Department of Conservation's fire protection program.

Section 2. (a) Any county governing body which provides forest fire protection to the persons and property of its county by participating in the State Department of Conservation's fire protection program may in the manner hereinafter specified assess the whole or any part of the cost of such fire protection program, not in excess of five cents per acre, to the owners of forest land in the county; provided such assessment is not greater than the benefit accruing to such forest land due to the availability of such fire protection.

(b) "Forest lands", as used in this Act, shall mean any land which supports a forest growth, or which under prevailing natural and economic conditions may be expected to support such a growth in the future, or which is being used or reserved for any forest purpose. "Forest lands", as used in this Act, shall not include any lands within an urban area which are primarily used for residential purposes nor shall it include any publicly owned lands.

Section 3. The need for special assessments to provide forest fire protection within the county shall be determined by the county governing body after a public hearing is held thereon. Such hearing shall be held by such body only after a petition signed by a majority of the total number of persons owning forest lands within the county has been presented thereto and, provided such persons are the owners of more than one-half of the forest land situated within the county. The county governing body shall give ten days notice of the time and place at which they shall meet to determine the need for a program in such county to provide protection against forest fires, the manner of financing a fire protection program, the part of the cost of such program to be assessed against owners of forest land, and the manner of assessing the cost of such protection proportionately to each parcel or tract of forest land in the county. The notice of the meeting hereby required shall be published in a newspaper of general circulation in the county, and shall also be posted at the courthouse of the county and in every post office within the county. Any person owning forest land in the county may appear in person or by attorney at such time and place and make defense against such assessment or the amount thereof. After such hearing the county governing body shall determine the amount of such assessment and enter on the minutes of the governing body an order fixing such assessment.

Section 4. Any assessment fixed as provided in the above section shall be payable at the same time and in the same manner as county taxes and the owner of the forest lands, as herein defined, in those counties becoming subject to the provisions of this Act shall make report of same to the tax assessor of the county at the time fixed by law for making return of other property of such property owner. Assessments made pursuant to this Act shall constitute a lien on the property against which they are assessed and in case of default in the payment of such assessments the land may be sold in the same manner and under the same conditions that lands are sold for the satisfaction of liens for county taxes.

Section 5: All monies accruing to any county from the assessment as herein provided shall be placed in the county treasury or depository,

as the case may be, to the credit of a special fire protection fund, which fund shall be used or disbursed by said county governing body only in participating in the State Department of Conservation's fire protection program within such county under such procedures and policies as may be prescribed by the Department of Conservation. Any unexpended balance in said fund, at the end of any fiscal year, shall remain therein for use during the ensuing fiscal year.

Section 6. Any officer performing any duties relative to the assessing or collecting of assessments made pursuant to this Act shall receive as compensation therefor the same fees and allowances that he would receive for the performance of similar duties relative to the collection of special county taxes.

Section 7. The county governing body in any county where the assessment as herein provided for has been adopted may, upon its own motion, remove said assessment at any time; provided, however, no county governing body may remove said assessment without first having a public hearing relative to the removal of the assessment.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 96; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Nice
Albea	Faulk	Kaul	Nolen
Ashworth	Ferrell	Kelly	Oakley
Bassett	Franklin	Kendall	Oden
Boyd	Gilchrist	Killough	Payne
Bradford	Gist	Kirkham	Perry
Brannan	Goodwyn	Lackey	Pirkle
Branyon	Gregory	Law	Pruitt
Brassell	Grouby	Lee (Barbour)	Reynolds
Brewer	Hain	Lee (Lawrence)	Selman
Broadfoot	Hall	Locke (Choctaw)	Shumate
Brooks	Haltom	Locke (Perry)	Simon
Brown (Lamar)	Hanby	Love	Solomon
Brown (Lee)	Hardy	McClendon	Speaks
Burkhalter	Hare	McKay	Steagall
Callahan	Harrison	McLendon	Stembridge
Cornett	Harvey	McNider	Stokes
Crook	Hawkins	Martin	Summerlin
Dawkins	Hodges	Mathison	Taylor
deGraffenried	Holliman	Meeks	Thomas
Dement	Huddleston	Merrill	Tyson
DeSear	Hunt	Money	Vacca
Dickson	Jenkins	Murphy	Windle
Edwards (Escambia)	Johnson (Elmore)	Nettles	Wood

And said bill, H. 194, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

**Yeas:**

Mr. Speaker	Faulk	Kaul	Nolen
Albea	Ferrell	Kelly	Oakley
Ashworth	Franklin	Kendall	Oden
Bassett	Gilchrist	Killough	Payne
Boyd	Gist	Kirkham	Perry
Bradford	Goodwyn	Lackey	Pirkle
Brannan	Gregory	Law	Pruitt
Branyon	Grouby	Lee (Barbour)	Reynolds
Brassell	Hain	Lee (Lawrence)	Richardson
Brewer	Hall	Locke (Choctaw)	Selman
Broadfoot	Haltom	Locke (Perry)	Shumate
Brooks	Hanby	Love	Simon
Brown (Lamar)	Hardy	McClendon	Solomon
Brown (Lee)	Hare	McKay	Speaks
Burkhalter	Harrison	McLendon	Steagall
Callahan	Harvey	McNider	Stembridge
Cornett	Hawkins	Martin	Stokes
Crook	Hodges	Mathison	Summerlin
Dawkins	Holliman	Meeks	Taylor
deGraffenried	Huddleston	Merrill	Thomas
Dement	Hunt	Money	Tyson
DeSear	Jenkins	Murphy	Vacca
Dickson	Johnson (Elmore)	Nettles	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Nice	Wood
Edwards (Jefferson)			

—97

**And the bill:**

H. 178. To provide a program for the protection of forest trees from tree infestation and disease. To establish a system and method for the suppression of infestation and disease in forest trees. To provide for co-operative agreements with the Federal Government, other agencies and persons. To provide for a fund known as the "Control of Forest Tree Insects and Diseases Fund," and to further provide an appropriation for the management of the program.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

**Yeas:**

Mr. Speaker	Broadfoot	Edwards (Escambia)	Hanby
Adams	Brown (Lamar)	Edwards (Jefferson)	Hare
Albea	Brown (Lee)	Faulk	Harvey
Ashworth	Burkhalter	Ferrell	Hawkins
Bassett	Callahan	Franklin	Hodges
Boyd	Cornett	Gilchrist	Holliman
Bradford	Crook	Gist	Huddleston
Brannan	deGraffenried	Gregory	Hunt
Branyon	Dement	Grouby	Jenkins
Brassell	DeSear	Hall	Johnson (Elmore)
Brewer	Dickson	Haltom	Johnson (Tallapoosa)

Kaul	Love	Nettles	Shumate
Kelly	McKay	Nice	Simon
Kendall	McLendon	Nolen	Solomon
Killough	McNider	Oakley	Speaks
Kirkham	Martin	Payne	Steagall
Lackey	Mathison	Perry	Stembridge
Law	Meeks	Pirkle	Stokes
Lee (Barbour)	Merrill	Pruitt	Summerlin
Lee (Lawrence)	Molette	Reynolds	Thomas
Locke (Choctaw)	Money	Richardson	Tyson
Locke (Perry)	Murphy	Selman	Vacca

—88

And the bill:

H. 554. To amend Sections 92 and 117 of Title 17 of the Code of Alabama of 1940 so as to authorize any county or city or other political subdivision of the state to authorize and direct the use of voting machines for registering or recording and computing the vote at all elections held in such county or city or other political subdivision or portion of any thereof without the requirement of submitting the question of the authorization or installation of voting machines to a vote of the qualified electors of such county, city, or other political subdivision, and so as to make the pertinent and necessary laws pertaining to the use of voting machines in counties also apply to the use of voting machines in any municipality or other political subdivision in which voting machines may be adopted.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 2.

**Yeas:**

Mr. Speaker	Gilchrist	Kirkham	Payne
Adams	Gist	Lackey	Perry
Albea	Gregory	Law	Pirkle
Ashworth	Grouby	Lee (Barbour)	Pruitt
Bassett	Hain	Lee (Lawrence)	Ramey
Boyd	Hall	Locke (Choctaw)	Reynolds
Bradford	Hanby	Love	Richardson
Branyon	Hardy	McClendon	Selman
Brassell	Hare	McKay	Shumate
Broadfoot	Harrison	McLendon	Simon
Brooks	Harvey	McNider	Solomon
Brown (Lamar)	Hawkins	Martin	Speaks
Brown (Lee)	Hodges	Mathison	Steagall
Burkhalter	Holliman	Meeks	Stembridge
Callahan	Huddleston	Merrill	Stokes
Cornett	Hunt	Molette	Summerlin
Crook	Jenkins	Money	Taylor
deGraffenried	Johnson (Elmore)	Murphy	Thomas
Dement	Johnson (Tallapoosa)	Nettles	Tyson
Edwards (Escambia)	Kaul	Nice	Vacca
Edwards (Jefferson)	Kelly	Nolen	Ward
Ferrell	Kendall	Oakley	Windle
Franklin	Killough	Oden	Wood

—92

Nays: Messrs. Brewer and Haltom.

—2

And the bill:

H. 816. To amend Act No. 4, H. 6, approved January 25, 1951, which ~~relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. I, p. 167).~~

Was taken up.

Mr. Dawkins offered the following substitute for the bill, H. 816:

SUBSTITUTE FOR H. B. 816

A BILL  
TO BE ENTITLED  
AN ACT

To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. I, p. 167).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 4, H. 6, approved January 25, 1951, entitled "An Act relating to the salaries and compensation payable to certain non-elective state officers" (Acts of 1950-51, Vol. I, p. 167), is amended to read as follows:

"The salary of each of the several state officers named in this section shall be fixed by the Governor, not to exceed the amount herein set forth:

"For the Director, Highway Department, \$10,000 per annum;

"For the Director, Department of Conservation, \$10,000 per annum;

"For the Director, Department of Finance, \$10,000 per annum;

"For the Commissioner of Revenue, \$10,000 per annum;

"For the Governor's Legal Advisor, \$10,000 per annum;

"For the Governor's Secretary, \$10,000 per annum;

"For the Adjutant General, \$10,000 per annum;

"For the Director, Department of Labor, \$9,000 per annum;

"For the Director, Department of Civil Defense, \$9,000 per annum;

"For the Director, Department of Publicity and Information, \$9,000 per annum;

"For the Director, Department of Insurance, \$9,000 per annum;

"For the Director, Department of Commerce, \$9,000 per annum;

"The salary of one administrative assistant for each of the following departments shall be fixed by the chief executive officer of the department, with the approval of the Governor, at an amount not to exceed nine thousand dollars per annum: (1) Department of Finance, (2) Department of Conservation; (3) Highway Department, (4) Revenue Department, (5) Department of Public Safety, (6) Department of Industrial Relations, (7) Examiner of Public Accounts, and (8) For the Administrative Assistants to the Director of the Department of Labor, the Department of Publicity and Information, and the Department of Commerce, not to exceed eight thousand dollars to be fixed by the head of the Department with the approval of the Governor."

Section 2. Section 2 of said Act No. 4, H. 6, is amended to read as follows:

"The salary of each of the state officials named in this section shall be the amount as herein set forth, and no more:

"For each member of the Board of Pardons and Paroles, \$7,500 per annum;

"For the Director, Personnel Department, \$9,000 per annum;

"For the State Service Commissioner (Director, Department of Veterans' Affairs), \$9,000 per annum;

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 69; Nays 10.

**Yeas:**

Mr. Speaker	Dement	Kelly	Nettles
Adams	Dickson	Kendall	Nolen
Albea	Edwards (Escambia)	Killough	Payne
Bassett	Edwards (Jefferson)	Lackey	Reynolds
Boyd	Ferrell	Law	Selman
Bradford	Franklin	Lee (Barbour)	Shumate
Branyon	Gist	Lee (Lawrence)	Simon
Brassell	Gregory	Locke (Choctaw)	Solomon
Brewer	Grouby	Love	Speaks
Broadfoot	Hall	McKay	Steagall
Brooks	Haltom	McLendon	Stembridge
Brown (Lamar)	Hanby	McNider	Stokes
Burkhalter	Hare	Martin	Taylor
Callahan	Hawkins	Mathison	Thomas
Cornett	Hodges	Merrill	Tyson
Cox	Hunt	Money	Vacca
Dawkins	Johnson (Tallapoosa)	Murphy	Wood
deGraffenried			

—69

**Nays:**

Messrs.	Hain	Molette	Pruitt
Ashworth	Hardy	Nice	Richardson
Gilchrist	Kaul	Oakley	

—10

And said bill, H. 816, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 21.

**Yeas:**

Mr. Speaker	Brannan	Burkhalter	Dement
Adams	Branyon	Callahan	Dickson
Albea	Brassell	Cornett	Edwards (Escambia)
Bassett	Brewer	Cox	Edwards (Jefferson)
Boyd	Broadfoot	Dawkins	Ferrell
Bradford	Brown (Lamar)	deGraffenried	Franklin



Gist	Kelly	Mathison	Selman
<del>Gregory</del>	<del>Kendall</del>	<del>Merritt</del>	<del>Shumate</del>
Grouby	Killough	Money	Simon
Hall	Law	Murphy	Speaks
Haltom	Locke (Choctaw)	Nettles	Steagall
Hanby	Love	Nolen	Stokes
Hare	McKay	Payne	Taylor
Hawkins	McLendon	Pirkle	Tyson
Hodges	McNider	Ramey	Vacca
Hunt	Martin	Reynolds	Wood
Johnson (Tallapoosa)			

—65

**Nays:**

Messrs.	Hain	Kirkham	Nice
Ashworth	Hardy	Lee (Barbour)	Oakley
Brown (Lee)	Havrey	Locke (Perry)	Oden
DeSear	Holliman	Meeks	Pruitt
Faulk	Johnson (Elmore)	Molette	Richardson
Gilchrist	Kaul		

—21

And the bill:

H. 221 (with substitute). Relating to the department of revenue: To authorize and direct the Commissioner of the Department of Revenue to allow distributors and retail dealers a refund, deduction, or discount of two percent of all motor fuel taxes collected to defray the cost of collecting such taxes from the ultimate consumer, one-half of such allowance to be for the benefit of the distributor and one-half to the use of the retail dealers; authorizing the Commissioner of Revenue to promulgate reasonable rules and regulations to effectuate the purposes of this Act.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

WAYS AND MEANS COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 221

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Department of Revenue: To authorize and direct the Commissioner of the Department of Revenue to allow a discount of two percent (2%) on the first \$5,000.00 of tax paid to the State and of one percent (1%) on all amount of tax paid in excess of \$5,000.00, not exceeding \$200.00 in any one calendar month to licensed and bonded refiners, storers, distributors or wholesalers of motor fuel who collect gasoline or motor fuel taxes under the provisions of section 648 of Title 51, Code of Alabama, 1940.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. The Commissioner of the Department of Revenue is hereby authorized and directed to allow refiners, storers, distributors, or wholesalers, as defined by Section 646, Title 51, Code of Alabama, 1940, who has been licensed by the Department of Revenue under the provisions of Sec. 667, of Title 51, Code of Alabama 1940, and who

have made bond, as is required under Section 670 of Title 51, Code of Alabama 1940, a discount in an amount equal to two per cent (2%) of the first \$5,000.00 of tax paid and one per (1%) cent of all amounts of tax paid in excess of \$5,000.00 under the provisions of Section 647 of Title 51, Code of Alabama 1940, not to exceed in any case \$200.00 on taxes paid in any one month. The amount of said discount being for the purpose of defraying the costs to such licensed and bonded refiners, storers, distributors or wholesalers of making reports to the Department of Revenue and of maintaining complete and accurate records relating to the reporting and paying of this tax.

**SECTION 2.** The Commissioner of the Department of Revenue shall not allow or permit any other deductions or discounts from the tax imposed by Section 647 of Title 51, Code of Alabama 1940 for evaporation or otherwise, unless such deductions are otherwise provided for by law, other than the discount provided for in the preceding Section.

**SECTION 3.** The Commissioner of Revenue is authorized and directed to promulgate reasonable rules and regulations to effectuate the purposes of this Act.

**SECTION 4.** All laws or parts of laws in conflict of this Act are hereby repealed.

**SECTION 5.** This Act is hereby declared to be severable, and should any section, term, or provision hereof be declared unconstitutional, such declaration shall not in any manner affect the remaining sections, terms or provisions of this Act.

**SECTION 6.** This Act shall become effective on the first day of the month following its passage and approval by the Governor, or its otherwise becoming a law.

And the substitute was adopted.

Yeas 52; Nays 18.

**Yeas:**

Mr. Speaker	Faulk	Hodges	Nolen
Bassett	Ferrell	Holliman	Payne
Boyd	Franklin	Johnson (Elmore)	Perry
Branyon	Gist	Law	Simon
Brassell	Gregory	Locke (Choctaw)	Solomon
Brown (Lee)	Grouby	McClendon	Speaks
Burkhalter	Hain	McKay	Steagall
Callahan	Hall	McLendon	Stembridge
Crook	Hanby	McNider	Summerlin
Dawkins	Hardy	Martin	Tyson
deGraffenried	Hare	Molette	Vacca
Dement	Harrison	Murphy	Windle
Edwards (Escambia)	Hawkins	Nettles	Wood

—52

**Nays:**

Messrs.	Edwards (Jefferson)	Lee (Barbour)	Stokes
Ashworth	Gilchrist	Lee (Lawrence)	Taylor
Brewer	Hunt	Oakley	Thomas
Brooks	Johnson (Tallapoosa)	Richardson	Ward
Brown (Lamar)	Kirkham	Shumate	

—18

Mr. Dawkins offered the following amendment to the bill, H. 221, as amended:

## AMENDMENT TO H. B. 221 AS AMENDED

Amend H. B. 221 by striking therefrom Section 2 thereof and re-numbering the remaining sections in numerical order.

And the amendment was adopted.

Yeas 53; Nays 23.

**Yeas:**

Mr. Speaker	Ferrell	Johnson (Elmore)	Perry
Adams	Gist	Law	Reynolds
Bassett	Gregory	Lee (Barbour)	Simon
Boyd	Hall	Locke (Choctaw)	Solomon
Bradford	Hanby	McClendon	Speaks
Brannan	Hardy	McLendon	Steagall
Branyon	Hare	McNider	Stembridge
Callahan	Harrison	Martin	Summerlin
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
Dement	Holliman	Money	Vacca
Dickson	Huddleston	Nettles	Windle
Edwards (Escambia)	Hunt	Nolen	Wood
Faulk			

—53

**Nays:**

Messrs.	Edwards (Jefferson)	Kelly	Oakley
Ashworth	Franklin	Kendall	Payne
Brewer	Gilchrist	Kirkham	Richardson
Brooks	Grouby	Lee (Lawrence)	Shumate
Brown (Lamar)	Jenkins	McKay	Stokes
deGraffenried	Kaul	Nice	Taylor

—23

And said bill, H. 221, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 11.

**Yeas:**

Mr. Speaker	Ferrell	Johnson (Elmore)	Payne
Adams	Franklin	Johnson (Tallapoosa)	Perry
Bassett	Gist	Kendall	Pruitt
Boyd	Gregory	Law	Ramey
Bradford	Grouby	Lee (Barbour)	Reynolds
Branyon	Hain	Locke (Choctaw)	Simon
Broadfoot	Hall	Love	Solomon
Brooks	Haltom	McClendon	Speaks
Burkhalter	Hanby	McKay	Steagall
Callahan	Hardy	McLendon	Stembridge
Crook	Hare	McNider	Stokes
Dawkins	Harrison	Martin	Summerlin
deGraffenried	Hawkins	Mathison	Thomas
Dement	Hodges	Molette	Tyson
Dickson	Holliman	Money	Vacca
Edwards (Escambia)	Huddleston	Nettles	Windle
Edwards (Jefferson)	Hunt	Nolen	Wood
Faulk	Jenkins	Oakley	

—71

**Nays:**

Messrs.  
Brewer  
Brown (Lamar)

Gilchrist  
Kaul  
Kelly

Kirkham  
Lee (Lawrence)  
Nice

Richardson  
Shumate  
Taylor

—11

**MESSAGE FROM THE SENATE****Mr. Speaker:**

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Shelton:

S. 200. To amend Sections 364 and 366 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

J. E. SPEIGHT,  
Secretary.

**SENATE MESSAGE**

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 200. Ways and Means.

**MESSAGE FROM THE SENATE****Mr. Speaker:**

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Cooper:

S. 218. To amend further Section 429 of Title 51, Code of Alabama (1940), which relates to the tax on financial institutions.

Also:

By Mr. Flowers:

S. 286. Providing that every person, firm, or corporation who sells or furnishes any tractor, scraper, motor vehicle, machinery or like equipment of any kind, or part therefor, or repairs thereto, the purchase price of which exceeds Twenty-Five Dollars (\$25.00), shall have a lien for the full price thereof on the vehicle; providing for the recording of such lien and for the enforcement thereof.

Also:

By Mr. Cooper:

S. 241. To confer on each city in this state having a population of 6,000 or more inhabitants according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance street and sidewalk improvements and sewer improvements outside of the corporate limits of such city and within its police jurisdiction

as it may have under any law now existing or hereafter enacted respecting the construction of and the issuance of securities to finance any such improvements within the corporate limits of such city; to confer on each such city the same powers to assess the cost of any such improvements, whether constructed within the city or outside the city and within its police jurisdiction, against the properties specially benefited by such improvements whether such properties are located in such city or outside such city and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such city of the cost of such improvements constructed in such city; to confer on each such city the power to finance any such improvements, constructed outside the city and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements; and to repeal Act No. 884 adopted at the 1953 Regular Session of the Legislature of Alabama.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 218. Local Government.

S. 286. Ways and Means.

S. 241. Local Government.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 41. Relating to the industrial development of the State of Alabama; to create a Department of Industrial Development, provide for the appointment of the Director thereof and fix his compensation; define the powers and duties of said Department and Director, authorize the creation of divisions within said Department and the appointment of the personnel thereof; provide for an Industrial Development Board and for the appointment, terms and compensation of its members, prescribe its powers, duties and authority; transfer certain powers, authority, duties, functions, books, and records from the State Planning Board to the Department of Industrial Development; transfer the functions, power, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the Department of Publicity and Information, and of the director thereof, to the Department of Industrial Development, and abolish the Department of Publicity and Information.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Oden, the House non-concurred in the Senate amendment to the bill, H. 41, said Senate amendment being as follows:

## SUBSTITUTE FOR H. B. 41

A BILL  
TO BE ENTITLED  
AN ACT

Providing further for state planning and industrial development; abolishing the State Planning Board as now constituted, and creating in lieu thereof the State Planning and Industrial Development Board; providing for the selection of the members of the Board, and prescribing their powers, duties, terms, qualifications, and compensation; vesting the authority, functions, funds, effects, and personnel of the State Planning Board in the State Planning and Industrial Development Board; prescribing the authority and functions of the State Planning and Industrial Development Board; transferring to the Board the powers and duties of the Commissioner of Agriculture and Industries with respect to industrial development, as prescribed in Section 20, Title 2, Code of Alabama (1940); and providing for the appointment of a director of the Board, and prescribing his powers, duties, term, qualifications, and compensation.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The State Planning Board created by Act No. 183, H. 62, approved June 18, 1943 (General Acts of Alabama, 1943, page 163), as now constituted, is abolished, and there is created and established the State Planning and Industrial Development Board in lieu thereof. The State Planning and Industrial Development Board shall consist of one member appointed by the Governor for each congressional district in the State; and the Governor, as chairman of the Board, the Commissioner of Agriculture and Industries, the Commissioner of Revenue, the State Highway Director, and the Director of State Docks, as members by virtue of their offices. In order to assist the Governor in making the appointments of members from the congressional districts, the members of the House of Representatives and of the State Senate of Alabama elected from the counties composing each congressional district in the State shall submit the names of seven persons who reside within the district to the Governor. In making such appointments, however, the Governor shall not be limited to the lists of nominees submitted to him by the members of the Legislature. When appointing members of the Board, the Governor shall select citizens who are outstanding in the fields of manufacture and processing, business and commercial enterprise, engineering and industrial development, natural resources, electric and gas utilities, industrial real estate and industrial property management, banking and finance, labor relations and mass communications.

Before entering upon the discharge of their duties, the appointive members of the State Planning and Industrial Development Board shall take the oath of office prescribed for other state officers. The appointive members of the Board shall hold office only during the tenure of the Governor making the appointment, and until their successors are appointed and qualified. The Governor may remove any appointive member of the Board who fails to attend its meetings regularly or to perform properly his duties as a member of the Board, by notifying the member in writing of his removal. The appointive members of the Board shall be paid ten dollars (\$10) per day for each day they are engaged in the performance of their duties, and each such member shall be paid the actual and necessary expenses incurred in the performance of his duties as a member of the Board when approved by the chairman; provided, however, that except upon the call of the

Governor, members of the Board shall not be in session more than fifty days during any calendar year. ~~Ex officio members of the Board~~ shall receive no additional compensation for their services as members of the Board. The Board may have an appropriate seal with such words and emblem as it may prescribe. A majority of the Board shall constitute a quorum for the transaction of business. The secretary shall notify each member in writing of all meetings of the Board in such manner and under such rules and regulations as the Board may prescribe. The Board shall adopt rules and regulations for the transaction of its business; and the secretary shall keep a record of all its proceedings, and upon request, furnish a copy thereof to each member of the Board. No person holding a public office or public employment shall be eligible for appointment as a member of the Board.

Section 2. The Governor shall appoint a member to serve as vice-chairman of the Board. The Governor shall appoint a director, who shall be qualified by training and experience for the duties required of him. His term of office shall be at the pleasure of the Governor, and his compensation shall be fixed by the Board in an amount not to exceed ten thousand dollars (\$10,000) per annum. The director shall devote his entire time to his duties as director, and shall not, in a private capacity, perform any work or duties for, or accept any gifts or compensation from any county, city, or other governmental unit, or from any person, firm, or corporation, for services rendered while he is serving as director of the Board. Neither the Board nor the director shall employ any member of the Board in any capacity. The director shall serve as secretary of the Board and shall be custodian of its books, records, and papers, which he shall keep at the office of the Board, and he shall perform any and all functions and duties, and exercise any and all powers and authorities, that may be delegated to him by the Board. The director shall establish a division of local planning and such other divisions or units as may be necessary or convenient to the efficient and expeditious performance of the functions and duties of the Board. He may assign and re-assign functions and duties. All functions and duties of the Board shall be exercised by the director acting by and through such administrative divisions or units as he may determine, and he shall have all power and authority necessary or convenient to carry out the functions and duties of the Board, and the orders, rules, and regulations of the Board, subject, however, to the jurisdiction and direction of the Board. The appointment of chiefs of divisions and all other employees and personnel of the Board shall be made by the director subject to the provisions of the Merit System Act. The Board shall be provided with the necessary office space in the city of Montgomery or such other place as its needs may require.

Section 3. (a) There are hereby vested in the State Planning and Industrial Development Board all the functions, powers, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the State Planning Board and of the director thereof; and the functions of the State Planning Board and of the director thereof shall be exercised hereafter by the State Planning and Industrial Development Board and the director provided for in this Act.

(b) The duties in regard to the industrial development of this State now vested in the office of Commissioner of Agriculture and Industries by Section 20, Title 2, Code of Alabama (1940), are hereby transferred to the State Planning and Industrial Development Board, so that authority for the conduct of a state program designed to encourage and promote the industrial development of this State is vested exclusively in the Board. Henceforth, it shall be the duty of the Board,

in lieu of the Department of Agriculture and Industries: (1) To investigate and ascertain the industrial possibilities of the State and to seek to secure the development of the same. (2) To collect statistics in regard to industrial development in the State. (3) To make investigations as to any matter relative to industrial development and possibilities. (4) To cooperate in the fostering and development of the industrial interests of the State. (5) To cooperate especially in the promotion, establishment, and location of industries in the smaller municipalities and rural communities of the State which use as a raw material farm products of any character. (6) To cooperate with the state chamber of commerce, local chambers of commerce, and all local industrial boards to promote the purposes of this Act.

(c) The authority of the State Bureau of Publicity and Information created by Act No. 712, Acts of Alabama, Regular Session, 1951 page 1250, to plan and conduct all state programs of information and publicity designed to attract tourists to the State of Alabama is hereby confirmed and continued. It is provided, however, that the directors of the State Bureau of Publicity and Information shall cooperate to the fullest possible extent with the State Planning and Industrial Development Board toward the end that an integrated program of economic expansion and promotion may be pursued by the public agencies of this State.

(d) It is the purpose of this Act to impose responsibility for the administration of a comprehensive program of State planning and industrial development upon the State Planning and Industrial Development Board; and, to that end, the State Planning and Industrial Development Board, in addition to the foregoing powers, shall have the following authority:

(1) To aid, encourage, protect and promote existing industries and commercial enterprises of the State by any means deemed appropriate by the board.

(2) To give technical research and advisory aids to existing industry and commerce in the State.

(3) To advertise nationally the State industrial and commercial advantages.

(4) To advocate advantages of location within the State to industrial and commercial prospects through personal contacts by travelling representatives, by furnishing specially prepared studies by correspondence, printed material and other appropriate means.

(5) To maintain a staff of experienced personnel capable of providing prompt informed cooperation to industry and commercial enterprise.

(6) To provide industrial and commercial prospects with up-to-date factual reports on available plant sites, buildings, warehouse and distribution locations and existing structures, labor, water, gas and electric power, taxes, wages and salaries and other basic locational data.

(7) To conduct industrial and commercial prospects on field inspections of potential plant or commercial locations.

(8) To assist cities, towns, counties, areas and regions in the survey and analysis of their industrial resources and needs.

(9) To counsel on new or additional industrial plant or commercial building construction.



(10) To co-ordinate and present effectively the interest, resources and advantages of every community in the State capable of meeting operational requirements of industrial and commercial prospects.

(11) To bring the State's industrial and commercial opportunities to the attention of investors and other entrepreneurs both within and without the State and to foster increase of employment opportunities within the State.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Oden, a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the bill, H. 41.

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Oden, Brown (Lamar) and Thomas.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Eddins:

S. J. R. 68. Whereas, the oil well drilled at Citronelle was recently brought in as the second gusher oil well in the State of Alabama, indicating that oil and gas resources may be more prevalent in this State than heretofore thought possible, and of a quality as good or better than the oil and gas produced in some of the oldest established oil fields in this country; and

Whereas, the promotion and development of the oil and gas industry has brought great wealth to the people of Texas, Oklahoma, and other states, and has enabled the state of Texas to finance the operation of its public schools, including institutions of higher learning, almost entirely with revenue derived from the production of oil and gas; and

Whereas, public health, welfare and educational services in this State are inadequately financed, not because of lack of effort on the part of the citizens of Alabama, but because of the limited amount of funds available; and

Whereas, increased production of oil and gas in this State would indirectly provide additional revenues with which to finance, improve, and extend health, welfare and educational services; and

Whereas, this State should take all actions necessary to encourage the development of oil fields and the production of oil and gas in order to promote the prosperity and well-being of the people of Alabama; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. That a legislative interim committee is hereby created to study the activities being carried on in the exploration for and production of oil and gas resources in this State to determine whether or not legislation is needed to encourage the exploration for oil and gas in order to secure the production of oil and gas to the fullest extent possible. The committee is authorized to employ sufficient technical personnel, such as oil geologists and oil engineers, as may be necessary to carry out the investigation, and to fix the compensation of those employed. The committee shall report to the Legislature at the next regular or special session, and at that time shall present legislation which, in its opinion, will best encourage the promotion and development of oil and gas resources.

2. The committee shall consist of three members of the Senate appointed by the President and three members of the House of Representatives appointed by the Speaker of the House. The members of the committee shall elect from among their number a chairman, and the committee shall meet at the call of the chairman. Any vacancy on the committee from either House of the Legislature shall be filled by appointment by the Speaker of the House or the President of the Senate, as the case may be. For each day's attendance at a meeting of the committee, each member of the committee shall receive the same per diem and expenses as is provided for members of the Legislature. The per diem and expenses of the members of the committee and all other expenses incurred by the committee in the conduct of its investigation shall be paid from any funds appropriated for the use of the Legislature.

J. E. SPEIGHT,  
Secretary.

### SENATE MESSAGE

The motion of Mr. Locke (Choctaw) to suspend the rules in order to bring up for immediate consideration the S. J. R. 68 set out in the above and foregoing Message from the Senate was lost.

Yeas 51; Nays 22.

#### Yeas:

Mr. Speaker	Gist	Lackey	Nettles
Adams	Gregory	Law	Nolen
Ashworth	Hanby	Locke (Choctaw)	Oakley
Bradford	Hare	Locke (Perry)	Oden
Brannan	Harrison	Love	Pirkle
Branyon	Harvey	McClendon	Richardson
Brewer	Hawkins	McNider	Selman
Burkhalter	Holliman	Martin	Shumate
Dawkins	Hunt	Mathison	Simon
Dement	Jenkins	Merrill	Speaks
DeSear	Johnson (Elmore)	Molette	Stokes
Edwards (Escambia)	Johnson (Tallapoosa)	Money	Taylor
Ferrell	Kendall	Murphy	

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#### Nays:

Messrs.	Edwards (Jefferson)	Hodges	Payne
Albea	Gilchrist	Kaul	Perry
Boyd	Grouby	Lee (Barbour)	Roberts
Broadfoot	Hain	Lee (Lawrence)	Solomon
Brooks	Haltom	McKay	Windle
Brown (Lee)	Hardy	Meeks	

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And said resolution S. J. R. 68 was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 215. To regulate further the office of circuit solicitor of the Eighth Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

Also:

S. 315. Relating to counties having a population of not less than 56,500 nor more than 72,500: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

S. 317. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Also:

S. 322. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

Also:

S. 323. Relating to Talladega County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

Also:

S. 332. Relating to the City of Huntsville in Madison County; to alter, rearrange, and extend the boundaries thereof.

J. E. SPEIGHT,  
Secretary.

### SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at

length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

### RECESS

On motion of Mr. Martin the House recessed until 2:30 o'clock this afternoon.

### AFTERNOON SESSION

The hour of 2:30 o'clock P.M. having arrived, the House reconvened.

### BILLS ON THIRD READING RESUMED

H. 878. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent decennial federal census; authorizing the court of county commissioners, board of revenue, or like governing body of any such county to levy additional privilege license and excise taxes for hospital purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

Was taken up.

Messrs. Hanby and Hawkins offered the following amendment to the bill, H. 878:

### AMENDMENT OF H. B. 878

Amend the title of the bill by inserting the words "and educational" between the words "hospital" and "purposes" where they appear in the sixth line of the title.

Also, amend Section 2 of the bill by inserting the words "and educational" between the words "hospital" and "purposes" where they appear in the first sentence of the section.

Also, amend Section 4 of the bill by striking out the last three sentences of the section and substituting therefor the following:

"Whereupon, it shall be the duty of the Comptroller to issue his warrants on the State Treasurer, payable as follows, in a total amount equal to the amount so certified by the Commissioner of Revenue as having been collected for the use of the county and paid into the State Treasury. The Comptroller shall pay one-half of the amount so certified by the Commissioner of Revenue as having been collected for the use of the county to any public hospital board or authority provided by law for the county, which board or authority shall use such proceeds for the construction of a county general hospital and for its maintenance and operation. The Comptroller shall apportion the remaining one-half of such amount among the city and county school systems within the county on the basis of the teacher units established by the State Board of Education for the administration of the Minimum Program Fund, and pay to the custodian of school funds of each such school system the system's pro rata share of the proceeds."

Also

Amend Section 3 of the bill by inserting the word "exemptions," between the words "definitions," and "proceedings," where they appear in the second paragraph on page 3.

Also, amend Section 3 of the bill by striking out the last sentence of the second paragraph on page 3, which sentence reads as follows: "It is specifically provided that there shall be no exemptions to the taxes authorized by this Act."

Also

Amend Section 3 of the bill by inserting the following paragraphs after paragraph 3) of the section:

"4) Upon every person, firm, or corporation engaged or continuing within the county in the business of selling any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-third of one percent of the gross proceeds of the sale of such automotive vehicle, truck trailer, and semi-trailer."

"5) Upon every person, firm, or corporation engaged or continuing within the county in the business of selling any used automotive vehicle or truck trailer or semi-trailer, where such vehicles are bought for purposes of resale, an amount equal to one-third of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer and semi-trailer; provided, however, this subsection shall not apply to the sale of any used automotive vehicle or truck trailer or semi-trailer where it was acquired as a part of the consideration for the sale, trade, or exchange, in the county of any new or used motor vehicle, truck trailer, or semi-trailer."

"6) An excise tax on the storage, use, or other consumption in the county of any new or used automotive vehicle, truck trailer, or semi-trailer purchased at retail on or after the date a tax is imposed under the authority of this Act for storage, use, or other consumption in the county at the rate of one-third of one percent of the sales price of such automotive vehicle, truck trailer, or semi-trailer."

Also, amend Section 3 of the bill by inserting "or 6" between the figure "3" and the word "above" where they appear together in the last paragraph of Section 3.

And the amendment was adopted.

Yeas 80; Nays 0.

#### Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nice
Adams	Edwards (Escambia)	Johnson (Tallahassee)	Nolen
Albee	Edwards (Jefferson)	Kendall	Oakley
Ashworth	Faulk	Killough	Oden
Bassett	Ferrell	Kirkham	Payne
Boyd	Franklin	Lackey	Pirkle
Bradford	Gist	Law	Ramey
Branyon	Gregory	Lee (Lawrence)	Reynolds
Brewer	Grouby	Locke (Choctaw)	Selman
Broadfoot	Hain	Locke (Perry)	Shumate
Brooks	Hall	Love	Simon
Brown (Lamar)	Haltom	McClendon	Solomon
Brown (Lee)	Hanby	McKay	Speaks
Callahan	Hardy	McLendon	Stembridge
Cox	Hawkins	McNider	Summerlin
Crook	Hodges	Merrill	Taylor
Dawkins	Holliman	Molette	Tyson
deGraffenried	Huddleston	Money	Ward
Dement	Hunt	Murphy	Windle
DeSear	Jenkins	Nettles	Wood

And said bill, H. 878, as thus amended, was read a third time at length and passed.

Yeas 81; Nays 0.

**Yeas:**

Mr. Speaker	Edwards <sup>(Jefferson)</sup>	Kendall	Nice
Adams	Faulk	Killough	Nolen
Albea	Ferrell	Kirkham	Oakley
Ashworth	Franklin	Lackey	Oden
Bassett	Gist	Law	Payne
Boyd	Gregory	Lee <sup>(Lawrence)</sup>	Pirkle
Bradford	Grouby	Locke <sup>(Choctaw)</sup>	Ramey
Branyon	Hain	Locke <sup>(Perry)</sup>	Reynolds
Brewer	Hall	Love	Selman
Broadfoot	Haltom	McClendon	Shumate
Brooks	Hanby	McKay	Simon
Brown <sup>(Lee)</sup>	Hardy	McLendon	Solomon
Callahan	Hawkins	McNider	Speaks
Cox	Hodges	Martin	Stokes
Crook	Holliman	Meeks	Summerlin
Dawkins	Huddleston	Merrill	Thomas
deGraffenried	Hunt	Molette	Tyson
Dement	Jenkins	Money	Ward
DeSear	Johnson <sup>(Elmore)</sup>	Murphy	Windle
Dickson	Johnson <sup>(Tallapoosa)</sup>	Nettles	Wood
Edwards <sup>(Escambia)</sup>			

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And the bill:

H. 251 (with substitute). Providing for the regulation of the practice of ophthalmic dispensing; authorizing the issuance of certificates to registered qualified ophthalmic dispensers and ophthalmic technicians who are employed by Ophthalmic Dispensers creating an examining board to determine their respective qualifications and conferring powers and duties thereupon; and providing for penalties for violations of the provisions hereof.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

**A BILL  
TO BE ENTITLED  
AN ACT**

Providing for the regulation of the practice of aphthalmic dispensing, authorizing the issuance of certificates to registered qualified ophthalmic dispensers and ophthalmic technicians who are employed by Ophthalmic Dispensers creating an examining board to determine their respective qualifications and conferring powers and duties thereupon; and providing for penalties for violations of the provisions hereof.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALABAMA:**

1. This Act is enacted in the exercise of the police powers of the State and its purposes generally are to protect the public health, welfare and safety by providing for the regulation of the sale, dispensing and supplying of all ophthalmic appliances, eyeglasses, or ophthalmic lenses to the ultimate wearer or consumer in this State.

For the purposes of this Act, ophthalmic appliances and lenses are defined as those employed ~~for the aid or protection of human vision or for the correction of defects of human vision.~~

Physicians and optometrists, duly licensed to practice medicine and optometry in this State, and ophthalmic technicians regularly employed by persons, firms, or corporations engaged in the manufacture and sale of ophthalmic lenses and appliances at wholesale, are specifically exempt from the provisions of this Act.

A person registered under the provisions of this Act is specifically prohibited from engaging in the practice of ocular refraction, orthoptics, visual training, or fitting contact lenses except under the direct supervision and in the presence of an oculist, ophthalmologist or an optometrist; or the prescribing of subnormal vision aids, or telescopic spectacles, in his own behalf or as an employee or student of another, whether under the personal supervision of his employer or preceptor or not.

A person registered under this Act shall be authorized to fit artificial eyes; and a person registered under this Act shall be authorized to fit contact lenses under the direct supervision and in the presence of an ophthalmologist, oculist, or optometrist.

No person not licensed to practice medicine or optometry in this State shall directly or indirectly, for himself or others, do or engage in any act or practices specifically prohibited to duly registered ophthalmic dispensers and ophthalmic technicians by the provisions of this Act.

2. There is hereby created the State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians, hereinafter designated as the "board," which shall be composed of five members who shall be appointed by the Governor, three of whom shall be ophthalmic dispensers who are members in good standing of the Alabama Association of Ophthalmic Dispensers, one member shall be an ophthalmologist duly licensed to practice in the State of Alabama, and the other member shall be an optometrist duly licensed by the State Board of Optometrists and a member in good standing of the Alabama Optometric Association. The three ophthalmic dispensers shall be engaged in the practice of ophthalmic dispensing in the State of Alabama for not less than five years, each of whom shall be residents of the State of Alabama, and also shall be persons of recognized ability and honor, and who shall be appointed by the Governor from a list to be furnished within thirty days after any vacancy occurs in the membership of said board by the Alabama Association of Ophthalmic Dispensers, of whom the persons nominated are members; and for every membership filled in said board, at least three names shall be submitted to the Governor, and from the names thus submitted, the Governor shall select one person to be a member of said board; and the ophthalmologist shall be appointed by the Governor from a list to be furnished within thirty days after any vacancy occurs in the membership of said board by the State of Alabama Ophthalmologist Society, of whom the person nominated is a member; and for every membership filled in said board, at least three names shall be submitted to the Governor and from the names thus submitted, the Governor shall select one person to be a member of said board, and the optometrist shall be appointed by the Governor from a list to be furnished within thirty days after any vacancy occurs in the membership of said board by the Alabama Optometric Association, of whom the person nominated is a member; and for every membership filled in said board, at least three names shall be submitted to the Governor and from the names thus submitted, the Governor shall select one person to be a member of said board.

One ophthalmic dispenser member shall be appointed for a term of one year, another ophthalmic dispenser member shall be appointed for a period of two years; and another ophthalmic dispenser member shall be appointed for a term of three years; the optometrist member shall be appointed for a term of four years, and the ophthalmologist member shall be appointed for a term of five years; and upon the expiration of the term of said members, his successor shall be appointed so that at all times the board shall be composed of three ophthalmic dispenser members, one ophthalmologist member and one optometrist member.

Upon the expiration of the term of the members herein named, the Governor shall annually fill each vacancy resulting from the expiration of a term of office of a member for a term of five years by appointments in the same manner as the original is made.

Each appointee, within thirty days after receipt of his commission, shall take, subscribe and file in the office of the Secretary of State the oath or affirmation prescribed by law.

A vacancy resulting from any cause other than the expiration of a term shall be filled for the unexpired term by an appointment of an ophthalmic dispenser, ophthalmologist, oculist or optometrist, as the case may be, by the Governor in the same manner as an original appointment is to be made.

Each member of the board shall receive the sum of twenty-five dollars (\$25.00) for each regular examination conducted by the board, and each member of the board shall also be compensated for actual expenses incurred in the discharge of his official duties, all to the extent that funds are available from the license fees prescribed herein.

The Governor may remove any member for cause, upon notice and opportunity to be heard.

On June thirtieth of each year, the board shall submit to the Governor a written report. Such report shall include the names of all ophthalmic dispensers and ophthalmic technicians to whom licenses have been granted as provided in section six of this Act, any cases heard and decisions rendered by the board, and the recommendation of the board as to future policies. Each member of the board shall review and sign such report before its submission to the Governor. The principal office of the board shall be in Montgomery, Alabama, but it may meet or conduct any of its business at any place in this State. The board shall empower any member to conduct any proceeding, hearing or investigation necessary to its purposes. Three members of the board shall be a quorum.

3. The board shall hold at least two meetings each year and may hold such other meetings as it may deem advisable. The time and place of all such meetings shall be determined by the board.

The board shall elect a president and secretary-treasury from its membership and shall have a common seal, of which all Courts of this State shall take judicial notice. Its president, or secretary-treasurer, may issue subpoenas to compel attendance of witnesses to testify before the board and administer oaths in taking testimony in any matter pertaining to its duties, which subpoenas shall issue under the seal of the board and shall be served and enforced in the same manner as subpoenas issued out of the Circuit Courts of this State.

The board may appoint an agent, whose title shall be "Inspector of the State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians," who shall hold office during the pleasure of the



board and who may be removed by the board for cause, and shall, during his continuance in office, be authorized to serve and execute any process issued by any Court of record under the provisions of this Act. Such agent shall not be subject to the provisions of the Civil Service law.

4. The secretary-treasurer and the Inspector of the State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians shall receive such compensation as shall be fixed by the board, within the limits of available funds received from license fees prescribed herein and fines paid to the secretary-treasurer. Before assuming the duties of his office, the secretary-treasurer of the board shall execute a bond to the State of Alabama, to be approved by the board, in the sum of five thousand dollars, conditioned for the faithful discharge of the duties of his office; the premium for such bond to be paid from the funds realized from the fees provided for in this chapter. Such bond, with the approval of the board and oath of office endorsed thereon, shall be deposited with the Secretary of State and kept in his office.

5. A person practices ophthalmic dispensing within the meaning of the provisions of this Act relating to ophthalmic dispensing who prepares and dispenses lenses, spectacles, eyeglasses or appurtenances thereto to the intended wearers thereof on written prescriptions from oculists, ophthalmologists, or optometrists duly licensed to practice their profession, and in accordance with prescriptions, interprets, measures, adapts, fits and adjusts such lenses, spectacles, eyeglasses or appurtenances thereto to the human face for the aid or correction of visual or ocular anomalies of the human eyes. The services and appliances relating to ophthalmic dispensing shall be dispensed, furnished or supplied to the intended wearer or user thereof only upon prescription issued by an oculist, ophthalmologist or optometrist, but duplications, replacements, reproductions or repetitions may be done without prescription, and such act shall likewise be construed to constitute the practice of ophthalmic dispensing the same as if performed on the basis of an original written prescription. No person shall sell, dispense, supply or offer ophthalmic lenses, spectacles or eyeglasses to intended wearers or users thereof without prescriptions, properly authorized, by an oculist, ophthalmologist or optometrist duly licensed to practice his profession in the State of Alabama; provided, however, nothing in this Act shall be construed to apply to the sale of toy glasses, goggles consisting of plano-white, plano-colored lenses or ordinary colored glasses, magnifiers, loupes, binoculars, or ready made non-prescription glasses with lenses of simple magnification, from permanently located establishments or places of business.

An ophthalmic technician, for the purposes of this Act, shall be defined as follows:

One having knowledge of optics and skilled in the technique of producing and reproducing ophthalmic lenses and kindred products, and mounting same to supporting materials.

Any person from out of the State of Alabama with appropriate ophthalmic dispensing qualifications or ophthalmic technician qualifications who can prove such qualifications may apply to the board for a temporary permit to secure employment in the State of Alabama as an ophthalmic dispenser or ophthalmic technician, and said permit shall automatically expire after the publication of the grades of the next succeeding examination and the board shall be limited to the issuance of only two temporary permits to each applicant, and a fee of five dollars (\$5.00) shall accompany such application.

Any person entering into employment in an ophthalmic dispensing establishment or licensed optometrist, oculist or ophthalmologist for the purpose of obtaining practical experience and skill as a licensed ophthalmic dispenser or ophthalmic technician shall register as an apprentice with the board and the computation of any period of apprenticeship under the provisions of this Act shall commence at the date of such registration. Such application for registration shall be certified under oath by the employer and by such applicant, and a fee of five dollars (\$5.00) shall accompany such application, and the board may issue to such applicant an apprentice's certificate. Any person who may have served part of his apprenticeship in any other state or county, not requiring such registration, shall be obliged to give proof of such service satisfactory to the board.

Nothing in the provisions of this Act relating to ophthalmic dispensing shall be construed to limit or restrict, in any respect, the practice of medicine by physicians duly licensed to practice in this State or the practice of optometry by optometrists duly licensed to practice optometry in this State of the activities of ophthalmic technicians regularly employed by persons, firms or corporations engaged in the manufacturing or sale of ophthalmic lenses and appliances at wholesale.

6. The board shall examine for competence in matters pertaining to opticianry. All examinations shall be conducted in the English language, and shall be oral and written, as well as by practical demonstration. The examination for ophthalmic technicians shall include inquiry into the theory of light and lenses and fundamental principles of ophthalmic optics; optical lens grinding, edging, finishing, and bench technique; prescription interpretation, assembling and mounting. The examination for ophthalmic dispensers shall include inquiry into all of the functions and subjects required for the ophthalmic technicians, and shall also include inquiry into optics, mathematics, physics, and chemistry as they pertain to the functional knowledge and application of producing and reproducing ophthalmic lenses; practical anatomy and physiology of the eye as applicable to dispensing opticianry; facial measurements; adjustments of spectacles and frames to the face; and patient-optician-professional practitioner relationships.

To every applicant who shall pass such examination, the board shall issue a certificate of registration which shall constitute a license hereunder, and shall be issued for a period of one year and may be renewed annually as herein provided. Any license issued hereunder shall be subject to all of the provisions of this Act and the rules and regulations promulgated hereunder.

7. Any person who has received a certificate of registration as a qualified ophthalmic dispenser or qualified ophthalmic technician as provided for herein shall be permitted and authorized to practice as an ophthalmic dispenser or ophthalmic technician, as defined in section five of this Act.

8. Every holder of a certificate of registration shall conspicuously display the same in his establishment.

9. The board shall meet at least twice annually, at which time candidates applying for certification shall be examined and their qualifications determined; and the board may meet at such other times and places as the board may prescribe. A candidate, in order to qualify for examination and certification as an ophthalmic dispenser, must furnish proof that he:

(a) Is at least twenty-one years of age.

(b) Is of good moral character.

(c) Is a citizen of the United States, or has legally declared his intentions of becoming one.

(d) Is a graduate of a recognized school of opticianary approved by the Board, or has served as a registered apprentice of not less than four calendar years' full-time employment under the supervision of an ophthalmic dispenser optometrist, oculist, or ophthalmologist in an optical establishment, office, shop or laboratory where prescriptions for optical glasses from given formulae have been filled, and has acquired experience in the producing and reproducing of ophthalmic lenses, and mounting the same to supporting materials, of which the last year in the State of Alabama, at least, shall have been acquired within the five years last preceding the date of such application.

A candidate, in order to qualify for examination and certification as an ophthalmic technician, must furnish proof that he:

(a) Is at least eighteen years of age.

(b) Is of good moral character.

(c) Is a citizen of the United States, or has legally declared his intention of becoming one.

(d) Is a graduate of a recognized school of opticianary approved by the Board or has served as a registered apprentice of not less than two calendar years' full-time employment under the supervision of an ophthalmic dispenser or ophthalmic technician in an approved optometric establishment, office, shop or laboratory where he has acquired experience in all phases of producing and reproducing ophthalmic lenses and mounting the same to supporting materials.

The board shall grade the examinations returned by the candidates and shall keep them for at least one year if said applicant obtained a grade of less than seventy-five per centum (75%).

10. Every candidate prior to being admitted to an examination shall be required to pay an examination fee as follows: An ophthalmic dispenser, twenty-five dollars (\$25.00); and an ophthalmic technician, fifteen dollars (\$15.00), which shall be in addition to the annual license fee for the issuance of a certificate under the provisions of this Act.

11. All applicants who have been principally engaged in ophthalmic dispensing and in the preparation and processing of ophthalmic lenses and frames to prescriptions in the State of Alabama for a period of two years prior to the effective day of this enactment, and whose applications, accompanied by a fee of twenty-five dollars (\$25.00), have been properly filed prior to such day or within six months after said day, shall be issued a license, provided they were so engaged on January 1, 1955.

All applicants who have been principally engaged as an ophthalmic technician in the preparation and processing of ophthalmic lenses and frames in the State of Alabama for a period of two years prior to the effective day of this enactment, and whose applications, accompanied by a fee of ten dollars (\$10.00), have been properly filed prior to such day or within six months after said day, shall be issued a license, provided they were so employed on January 1, 1955.

12. A license issued under the provisions of this Act shall be evidenced by a certificate issued by the board. A fee shall be paid to the

board, at the date of application for license, as follows: For licensed ophthalmic dispensers, twenty-five dollars (\$25.00), and fifteen dollars (\$15.00) for annual renewal of any such license. For licensed ophthalmic technicians, fifteen dollars (\$15.00), and ten dollars (\$10.00) for annual renewal of any such license. Any person licensed by said board who shall fail to renew his license within six months after the date of its expiration and shall, thereafter, desire to renew his license, shall pay to the board fifteen dollars (\$15.00) for such renewal; provided, before granting a license to any applicant who has not held a license issued by said board within five years of the date of application, said board shall require such applicant to pass a standard examination satisfactory to said board and to pay to the board the fee required of original applicants.

13. The board shall prescribe and prepare the necessary forms for application and examination of candidates for certification hereunder and shall by its formally adopted rules and regulations establish the method and manner in which such application shall be filed and the examination held.

The board shall be authorized and empowered to promulgate such reasonable rules and regulations which shall be necessary to give full force and effect to the provisions of this Act and to regulate the practice of ophthalmic dispensers and ophthalmic technicians in this State within the meaning hereof; provided, however, such rules and regulations are not inconsistent with the provisions of this Act or relate to the fixing of prices.

14. (a) All license, certificate, permit, registration and renewal fees prescribed by this Act shall be paid into the secretary-treasurer of the Board, and

(b) All moneys derived from the operation of, or payable pursuant to law to the board, shall be paid to the secretary-treasurer of the board.

Such fees, so paid into the board shall be placed to the credit of the board, and no part thereof may be disbursed or expended by the board for any purpose except in accordance with the provisions of this chapter.

Any surplus in excess of \$5,000.00 remaining at the end of the fiscal year to the credit of the board, after annual expenditures made as provided herein, shall be paid into and become part of the General Fund of the State.

It shall be lawful for an ophthalmic dispenser or ophthalmic technician to advertise; provided, that no mention shall be made, either directly or indirectly by any means whatsoever, of any indefinite price on corrective ophthalmic lenses, frames, complete prescription or corrective glasses.

It shall be unlawful to advertise or employ displays in such a manner as to suggest, infer or indicate that persons licensed under this Act are qualified to give professional advice concerning eye care.

It shall be unlawful for any ophthalmic dispenser or ophthalmic technician to use the word "licensed" or any of its synonyms.

It shall be unlawful for any ophthalmic dispenser or ophthalmic technician or employee or agent thereof or any person on their behalf to offer to pay a rebate or commission in any form whatsoever to any ophthalmologist, refractionist, or optometrist in return for referring patients to anyone licensed under this Act.

15. Any person who, after this Act becomes operative, shall practice as a licensed ophthalmic dispenser or ophthalmic technician as

defined in section five of this Act, or hold himself out to be a qualified or licensed ophthalmic dispenser or ophthalmic technician, or designate himself by any other term or title which implies that he is an ophthalmic dispenser or ophthalmic technician without having been licensed as a qualified ophthalmic dispenser or ophthalmic technician by the board, or violates any provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be fined for each offense not less than fifty nor more than five hundred dollars, and may be imprisoned in the county jail for not less than three months.

16. The board may refuse to grant or may suspend or revoke a license to practice as an ophthalmic dispenser or ophthalmic technician upon proof to the satisfaction of the board that the holder of such license:

- (a) Has been adjudicated insane, or
- (b) Habitually uses drugs or intoxicants, or
- (c) Has been convicted of crime involving moral turpitude, or
- (d) Has advertised fraudulently, or
- (e) Shall have presented to the board any diploma, license, or certificate that shall have been signed or issued unlawfully or under fraudulent representations, or obtains or shall have obtained a license to practice in this State through fraud of any kind, or
- (f) Has been convicted of a violation of any Federal or State law relating to narcotic drugs, or
- (g) Solicits in person or through an agent or agents for the purpose of selling ophthalmic materials; or employs what are known as: "chaser," "chasers," "steerer," "steerers," "solicitor," or "solicitors" to obtain business; provided, however, nothing herein contained shall prohibit the ophthalmic dispenser or ophthalmic technician from engaging in lawful pursuits or professional relations with an ophthalmologist or an optometrist, or
- (h) Has violated any of its rules or regulations.

The board at any time after the date of revocation may consider an application for reinstatement; and, after such consideration, it may grant such reinstatement.

Before any license to practice as an ophthalmic dispenser or ophthalmic technician in this State shall be suspended or revoked, except in the case of conviction of a crime involving moral turpitude or convictions of violations of any Federal or State law relating to narcotic drugs the accused persons shall be furnished with a copy of the complaint and be given a hearing before said board in person or by attorney, and any person whose license shall be suspended or revoked in accordance with this section shall be deemed an unlicensed person during the period of such suspension or revocation, and as such, shall be subject to the penalties herein before prescribed for persons who practice as ophthalmic dispensers or ophthalmic technicians without first having obtained a license to do so.

17. If any clause, sentence, paragraph or part of this Act be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, and it is hereby declared to be the legislative intent that the Act would have been adopted had such invalid provision not been included herein.

18. This Act shall become operative ninety days after its enactment.

On motion of Mr. Hawkins, the motion of Mr. Martin to recommit the bill, H. 251, and pending substitute, was laid upon the table.

Yeas 44; Nays 39.

**Yeas:**

Messrs.	Dement	Huddleston	Murphy
Adams	Ferrell	Hunt	Nice
Albea	Gilchrist	Kendall	Nolen
Bradford	Gist	Killough	Payne
Brannan	Gregory	Law	Pirkle
Broadfoot	Hain	Love	Reynolds
Brown (Lee)	Hanby	McKay	Selman
Callahan	Hardy	McLendon	Simon
Cox	Hawkins	Merrill	Stokes
Crook	Hodges	Molette	Summerlin
Dawkins	Holliman	Money	Tyson
deGraffenried			

—44

**Nays:**

Mr. Speaker	Dickson	Lackey	Pruitt
Ashworth	Edwards (Escambia)	Lee (Barbour)	Ramey
Bassett	Edwards (Jefferson)	Locke (Choctaw)	Solomon
Boyd	Franklin	Locke (Perry)	Stembridge
Branyon	Grouby	McNider	Taylor
Brewer	Hall	Martin	Thomas
Brooks	Haltom	Nettles	Ward
Brown (Lamar)	Harrison	Oakley	Windle
Cornett	Kelly	Oden	Wood
DeSear	Kirkham	Perry	

—39

**PAIR ANNOUNCED**

Mr. Richardson announced that he was paired with Mr. Johnson (Tallapoosa). If Mr. Johnson (Tallapoosa) were present he would vote "yea" and Mr. Richardson would vote "nay".

The motion of Mr. Martin to postpone further consideration of the bill, H. 251, and pending substitute, until the thirty-fourth legislative day, was **lost**.

Yeas 36; Nays 52.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Lackey	Molette
Ashworth	Faulk	Lee (Barbour)	Nettles
Boyd	Franklin	Locke (Choctaw)	Oakley
Branyon	Gilchrist	Locke (Perry)	Oden
Brewer	Grouby	McClendon	Perry
Brown (Lamar)	Haltom	McLendon	Pruitt
Crook	Harrison	McNider	Ramey
DeSear	Holliman	Martin	Thomas
Dickson	Kirkham	Mathison	Windle

—36

**Nays:**

Messrs.	Bassett	Broadfoot	Burkhalter
Adams	Bradford	Brooks	Callahan
Albea	Brannan	Brown (Lee)	Cox

Dawkins	Hawkins	Love	Roberts
deGraffenried	Hodges	McKay	Selman
Dement	Huddleston	Merrill	Simon
Edwards (Escambia)	Hunt	Money	Speaks
Ferrell	Jenkins	Murphy	Stembridge
Gist	Johnson (Elmore)	Nice	Summerlin
Gregory	Kelly	Nolen	Taylor
Hain	Kendall	Payne	Tyson
Hanby	Killough	Pirkle	Vacca
Hardy	Law	Reynolds	Wood
Harvey			

—52

## PAIR ANNOUNCED

Mr. Richardson announced that he was paired with Mr. Johnson (Tallapoosa). If Mr. Johnson (Tallapoosa) were present he would vote "nay" and Mr. Richardson would vote "yea".

## RECESS

On motion of Mr. Hawkins the House recessed until 3:10 o'clock P.M.

The House reconvened. The Speaker called the House to order.

## REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Mr. Eddins:

S. J. R. 68. Relative to creating a legislative interim committee to study the activities being carried on in the exploration for and production of oil and gas resources in this State to determine whether or not legislation is needed to encourage the exploration for oil and gas in order to secure the production of oil and gas to the fullest extent possible.

And S. J. R. 68 was concurred in and adopted.

## RESOLUTION

The following resolution was introduced:

By Mr. Albea:

H. J. R. 72. Whereas, the annual football game between the University of Alabama and Alabama Polytechnic Institute represents the epitome of wholesome athletic competition and good sportsmanship and evokes great interest and enthusiasm among the people of Alabama each year, and

Whereas, all available tickets have been sold far in advance of the football season, and

Whereas, the State of Alabama owns and operates the finest educational television network in the nation, and

Whereas, the people of Alabama who are unable to attend this game in person would greatly enjoy viewing the game over television, and the prestige of all participants would be thereby enhanced and the cause of athletics be furthered, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. That the Legislature respectfully urges the officials of the University of Alabama, Alabama Polytechnic Institute and the Alabama Educational Television Commission to give the greatest possible consideration to the feasibility of televising the Alabama-Auburn football game on November 26, 1955.

2. That duly authenticated copies of this resolution be transmitted to the president of the University of Alabama, the president of the Alabama Polytechnic Institute, and the president of the Alabama Educational Television Commission.

On motion of Mr. Albea the rules were suspended and H. J. R. 72 was adopted.

#### CONSIDERATION OF H. 251 RESUMED

The motion of Mr. Martin to postpone further consideration of the bill, H. 251, and pending substitute, until the next legislative day without losing its place on the Calendar, was lost.

Yeas 36; Nays 51.

##### Yeas:

Mr. Speaker	Edwards (Jefferson)	Kirkham	Nettles
Ashworth	Faulk	Lackey	Oakley
Boyd	Franklin	Lee (Barbour)	Oden
Branyon	Gilchrist	Locke (Perry)	Pruitt
Brewer	Grouby	McClendon	Ramey
Brown (Lamar)	Haltom	McLendon	Solomon
Cornett	Harrison	McNider	Stembridge
Crook	Hodges	Martin	Thomas
DeSear	Holliman	Mathison	Windle

—36

##### Nays:

Messrs.	deGraffenried	Jenkins	Nice
Adams	Dement	Johnson (Elmore)	Nolen
Albea	Dickson	Kelly	Payne
Bassett	Edwards (Escambia)	Kendall	Reynolds
Bradford	Gist	Killough	Roberts
Brannan	Gregory	Law	Selman
Broadfoot	Hain	Locke (Choctaw)	Simon
Brooks	Hanby	Love	Speaks
Brown (Lee)	Hardy	McKay	Steagall
Burkhalter	Harvey	Merrill	Taylor
Callahan	Hawkins	Molette	Tyson
Cox	Huddleston	Money	Vacca
Dawkins	Hunt	Murphy	Wood

—51

#### MOTION TO ADJOURN LOST

The motion of Mr. Faulk to adjourn until Friday, August 26, 1955, at ten o'clock A.M. was lost.

Yeas 27; Nays 43.

##### Yeas:

Mr. Speaker	Brooks	DeSear	Franklin
Ashworth	Brown (Lee)	Edwards (Escambia)	Killough
Branyon	Callahan	Edwards (Jefferson)	Lackey
Brewer	Crook	Faulk	Locke (Choctaw)



Locke (Perry)	Martin	Perry	Steagall
Love	Mathison	Richardson	Stembridge
McLendon	Payne	Solomon	

—27

**Nays:**

Messrs.	Gregory	Kaul	Nice
Adams	Hain	Kelly	Nolen
Albea	Hanby	Kendall	Oden
Brannan	Harrison	Kirkham	Pirkle
Broadfoot	Harvey	Law	Reynolds
Burkhalter	Hawkins	Lee (Barbour)	Selman
Cornett	Holliman	McClendon	Simon
Dawkins	Huddleston	McKay	Speaks
deGraffenried	Hunt	Merrill	Summerlin
Dickson	Jenkins	Money	Tyson
Gist	Johnson (Elmore)	Murphy	Wood

—43

**MOTION TO ADJOURN LOST**

The motion of Mr. Gregory to adjourn until Friday, August 26, 1955, at ten-fifteen o'clock A.M. was lost.

Yeas 38; Nays 39.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Lee (Lawrence)	Payne
Ashworth	Faulk	Locke (Choctaw)	Perry
Bradford	Ferrell	Locke (Perry)	Pruitt
Brewer	Franklin	McKay	Ramey
Brooks	Gilchrist	McLendon	Richardson
Brown (Lee)	Gregory	Martin	Shumate
Crook	Hare	Mathison	Solomon
Dement	Kaul	Molette	Vacca
DeSear	Killough	Oden	Ward
Dickson	Lackey		

—38

**Nays:**

Messrs.	Edwards (Escambia)	Huddleston	Nice
Adams	Gist	Jenkins	Reynolds
Albea	Hain	Johnson (Elmore)	Roberts
Brannan	Haltom	Kelly	Selman
Broadfoot	Hanby	Kirkham	Simon
Burkhalter	Hardy	Law	Speaks
Callahan	Harrison	McClendon	Steagall
Cornett	Harvey	Merrill	Stembridge
Dawkins	Hawkins	Money	Summerlin
deGraffenried	Holliman	Murphy	Wood

—39

**CONSIDERATION OF H. 251 RESUMED**

The motion of Mr. Martin to postpone further consideration of the bill, H. 251, and pending substitute, until 5:30 o'clock this afternoon was lost.

Yeas 29; Nays 53.

**Yeas:**

Mr. Speaker	Boyd	DeSear	Faulk
Ashworth	Crook	Edwards (Jefferson)	Franklin

Gilchrist	Locke (Perry)	Mathison	Ramey
Haltom	McClendon	Nettles	Richardson
Harrison	McLendon	Oakley	Thomas
Kirkham	McNider	Oden	Windle
Lackey	Martin	Pruitt	Wood
Lee (Barbour)			

—29

**Nays:**

Messrs.	Edwards (Escambia)	Kaul	Nolen
Adams	Ferrell	Kelly	Payne
Albea	Gist	Kendall	Perry
Bradford	Gregory	Law	Reynolds
Brannan	Hain	Locke (Choctaw)	Roberts
Broadfoot	Hanby	Love	Selman
Brooks	Hardy	McKay	Shumate
Burkhalter	Hare	Meeks	Simon
Callahan	Harvey	Merrill	Solomon
Cornett	Hawkins	Molette	Speaks
Dawkins	Huddleston	Money	Stembridge
deGraffenried	Hunt	Murphy	Stokes
Dement	Jenkins	Nice	Summerlin
Dickson	Johnson (Elmore)		

—53

**MOTION TO ADJOURN LOST**

The motion of Mr. Thomas to adjourn until Friday, August 26, 1955, at ten o'clock A.M. was lost.

Yeas 35; Nays 50.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	McKay	Payne
Ashworth	Faulk	McLendon	Perry
Boyd	Franklin	McNider	Ramey
Bradford	Gilchrist	Martin	Richardson
Brewer	Gregory	Mathison	Solomon
Brooks	Kaul	Molette	Thomas
Brown (Lee)	Lackey	Nettles	Ward
Crook	Locke (Choctaw)	Oakley	Windle
DeSear	Locke (Perry)	Oden	

—35

**Nays:**

Messrs.	Ferrell	Jenkins	Nice
Adams	Gist	Johnson (Elmore)	Nolen
Albea	Hain	Kelly	Reynolds
Brannan	Haltom	Kendall	Roberts
Broadfoot	Hanby	Kirkham	Selman
Burkhalter	Hardy	Law	Shumate
Callahan	Hare	Lee (Lawrence)	Simon
Cornett	Harrison	Love	Speaks
Cox	Harvey	McClendon	Stembridge
Dawkins	Hawkins	Meeks	Stokes
deGraffenried	Holliman	Merrill	Summerlin
Dickson	Huddleston	Money	Wood
Edwards (Escambia)	Hunt	Murphy	

—50

**CONSIDERATION OF H. 251 RESUMED**

The substitute reported by the Standing Committee on Ways and Means for the bill, H. 251, was adopted.

Yeas 48; Nays 31.

**Yeas:**

Messrs.	Ferrell	Kelly	Money
Adams	Gist	Kendall	Murphy
Bassett	Grouby	Killough	Nice
Boyd	Hall	Lackey	Nolen
Bradford	Harrison	Law	Payne
Broadfoot	Harvey	Lee (Lawrence)	Perry
Burkhalter	Hawkins	Locke (Choctaw)	Reynolds
Callahan	Hodges	Locke (Perry)	Simon
Cox	Huddleston	Love	Speaks
Dawkins	Jenkins	McKay	Summerlin
deGraffenried	Johnson (Elmore)	Meeks	Taylor
Dement	Kaul	Merrill	Tyson
Edwards (Escambia)			

—48

**Nays:**

Mr. Speaker	Edwards (Jefferson)	Kirkham	Ramey
Albea	Faulk	McLendon	Richardson
Ashworth	Franklin	McNider	Solomon
Branyon	Gilchrist	Martin	Steagall
Brewer	Hain	Mathison	Stembridge
Brown (Lamar)	Haltom	Nettles	Stokes
Cornett	Hardy	Oden	Windle
Crook	Holliman	Pruitt	

—31

Mr. Meeks offered the following amendment to the bill, H. 251, as amended:

**AMENDMENT TO H. B. 251 AS SUBSTITUTED**

Amend substitute for H. B. 251 as follows:

Amend Section 14 (b) by striking therefrom the words "provided that no mention shall be made, either directly or indirectly, by any means whatsoever, of any indefinite price on corrective ophthalmic lenses, frames, complete prescription or corrective glasses."

**MOTION TO ADJOURN LOST**

The motion of Mr. Windle to adjourn until Friday, August 26, 1955, at ten o'clock A.M. was lost.

Yeas 28; Nays 55.

**Yeas:**

Mr. Speaker	Franklin	McLendon	Pruitt
Ashworth	Gilchrist	Martin	Ramey
Branyon	Hodges	Mathison	Solomon
Brewer	Holliman	Nettles	Taylor
Cornett	Kaul	Oakley	Thomas
DeSear	Locke (Choctaw)	Oden	Ward
Faulk	Love	Perry	Windle

—28

**Nays:**

Messrs.	Ashworth	Bradford	Brooks
Adams	Bassett	Brannan	Brown (Lamar)
Albea	Boyd	Broadfoot	Burkhalter

Callahan	Harrison	Lackey	Nice
Cox	Harvey	Law	Nolen
Dawkins	Hawkins	Lee (Barbour)	Payne
deGraffenried	Huddleston	Lee (Lawrence)	Reynolds
Dement	Hunt	McClendon	Simon
Edwards (Escambia)	Jenkins	McKay	Speaks
Edwards (Jefferson)	Johnson (Elmore)	McNider	Stembridge
Ferrell	Kelly	Meeks	Stokes
Gist	Kendall	Merrill	Summerlin
Hain	Killough	Money	Tyson
Haltom	Kirkham	Murphy	Wood
Hardy			

—55

## CONSIDERATION OF H. 251 RESUMED

The amendment offered by Mr. Meeks to the bill, H. 251, as amended was adopted.

Yeas 56; Nays 24.

**Yeas:**

Mr. Speaker	Dement	Killough	Nolen
Ashworth	Edwards (Escambia)	Kirkham	Oakley
Bassett	Edwards (Jefferson)	Lackey	Oden
Boyd	Franklin	Lee (Barbour)	Perry
Bradford	Grouby	Lee (Lawrence)	Pruitt
Brannan	Hall	Locke (Choctaw)	Ramey
Branyon	Harrison	Locke (Perry)	Reynolds
Brooks	Harvey	McClendon	Solomon
Brown (Lamar)	Hunt	McLendon	Summerlin
Cornett	Jenkins	McNider	Taylor
Cox	Johnson (Elmore)	Martin	Thomas
Crook	Kaul	Mathison	Ward
Dawkins	Kelly	Meeks	Windle
deGraffenried	Kendall	Nettles	Wood

—56

**Nays:**

Messrs.	Gist	Love	Payne
Adams	Haltom	McKay	Simon
Albea	Hardy	Merrill	Speaks
Brewer	Holliman	Money	Stembridge
Broadfoot	Huddleston	Murphy	Stokes
Burkhalter	Law	Nice	Tyson
Gilchrist			

—24

On motion of Mr. deGraffenried, his motion to reconsider the vote by which the amendment offered by Mr. Meeks to the bill, H. 251, as amended, was adopted, was laid upon the table.

## MOTION TO ADJOURN LOST

The motion of Mr. Solomon to adjourn until Friday, August 26, 1955, at ten o'clock A.M. was lost.

## MOTION TO ADJOURN LOST

The motion of Mr. Solomon to adjourn until Friday, August 26, 1955, at ten o'clock A.M. was lost.

Yeas 12; Nays 52.

**Yeas:**

Mr. Speaker	DeSear	Grouby	Holliman
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## REGULAR SESSION

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McKay	Mathison	Perry	Solomon
Martin	Payne	Ramey	Taylor

—12

**Nays:**

Messrs.	deGraffenried	Huddleston	Money
Adams	Dement	Hunt	Murphy
Albea	Edwards (Escambia)	Jenkins	Nice
Ashworth	Edwards (Jefferson)	Johnson (Elmore)	Nolen
Bassett	Ferrell	Kaul	Reynolds
Boyd	Gist	Kendall	Roberts
Brannan	Gregory	Kirkham	Selman
Broadfoot	Hain	Lackey	Simon
Brown (Lamar)	Haltom	Law	Speaks
Burkhalter	Hardy	Lee (Barbour)	Stembridge
Callahan	Harrison	Lee (Lawrence)	Stokes
Cornett	Harvey	McClendon	Summerlin
Cox	Hawkins	Merrill	Tyson
Dawkins			

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## MOTION TO ADJOURN LOST

The motion of Mr. McKay to adjourn until Friday, August 26, 1955, at ten o'clock A.M. was lost.

Yeas 27; Nays 46.

**Yeas:**

Mr. Speaker	Brooks	Lackey	Perry
Ashworth	DeSear	McKay	Ramey
Bassett	Faulk	McNider	Solomon
Boyd	Franklin	Martin	Taylor
Bradford	Gilchrist	Mathison	Thomas
Branyon	Grouby	Oakley	Wood
Brewer	Holliman	Oden	

—27

**Nays:**

Messrs.	Dement	Hawkins	Merrill
Adams	Edwards (Escambia)	Hodges	Money
Albea	Edwards (Jefferson)	Huddleston	Nice
Brannan	Ferrell	Hunt	Nolen
Broadfoot	Gist	Jenkins	Reynolds
Brown (Lamar)	Goodwyn	Johnson (Elmore)	Roberts
Burkhalter	Gregory	Kaul	Selman
Callahan	Hain	Kelly	Simon
Cornett	Haltom	Law	Speaks
Cox	Hardy	Lee (Lawrence)	Stembridge
Dawkins	Harrison	McClendon	Stokes
deGraffenried	Harvey	Meeks	

—46

## MOTION TO ADJOURN LOST

The motion of Mr. Faulk to adjourn until Friday, August 26, 1955, at ten o'clock A.M. was lost.

Yeas 16; Nays 43.

**Yeas:**

Mr. Speaker	Boyd	Brewer	Franklin
Bassett	Branyon	Faulk	Gilchrist

Hodges  
Holliman

McClendon  
McKay

Martin  
Perry

Thomas  
Wood

—16

**Nays:**

Messrs.  
Adams  
Albea  
Brannan  
Broadfoot  
Brown (Lamar)  
Burkhalter  
Callahan  
Cox  
Dawkins  
deGraffenried

Dement  
Edwards (Escambia)  
Edwards (Jefferson)  
Ferrell  
Gist  
Goodwyn  
Gregory  
Hain  
Haltom  
Hardy  
Harrison

Harvey  
Hawkins  
Huddleston  
Hunt  
Jenkins  
Johnson (Elmore)  
Kaul  
Lackey  
Law  
Lee (Lawrence)  
Meeks

Merrill  
Money  
Nice  
Nolen  
Reynolds  
Roberts  
Selman  
Simon  
Speaks  
Stembridge  
Stokes

—43

**MOTION TO ADJOURN LOST**

The motion of Mr. Martin to adjourn until Friday, August 26, 1955, at ten o'clock A.M. was lost.

Yeas 3; Nays 38.

Yeas: Mr. Speaker, Branyon and DeSear.

—3

**Nays:**

Messrs.  
Adams  
Albea  
Bassett  
Brannan  
Broadfoot  
Burkhalter  
Callahan  
Cox  
deGraffenried

Dement  
Edwards (Escambia)  
Ferrell  
Gist  
Gregory  
Hain  
Haltom  
Hardy  
Harrison  
Harvey

Hawkins  
Hunt  
Jenkins  
Johnson (Elmore)  
Kaul  
Law  
Lee (Lawrence)  
McClendon  
Merrill  
Money

Nolen  
Oden  
Reynolds  
Selman  
Simon  
Speaks  
Stembridge  
Stokes  
Tyson

—3

**MESSAGE FROM THE SENATE**

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 117. To recognize the Alabama Association of School Board Members as an organization and representative agency of the members of the school boards of the State; to authorize State and local school boards and agencies to cooperate with said association in its programs; and to confer powers and authority upon said Association and the several school boards of the State in carrying out the objectives of the Association.

Also:

S. 291. To create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the

office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court.

Also:

S. 300. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

Also:

S. 319. To define, regulate and license barbers and barber colleges and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

Also:

S. 337. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

S. 341. To fix the supplemental salary of the Solicitor of the Tenth Judicial Circuit of Alabama, to provide that said supplemental salary shall be paid out of the general funds of Jefferson County, Alabama, and to provide when said act shall go into effect and to repeal all laws in conflict herewith.

Also:

S. 343. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

S. 344. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 200,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

Also:

S. 352. Applicable to Winston County; making provisions respecting the use of that portion of the State Gasoline Excise Tax levied under Section 647 of Title 51 of the Code of Alabama of 1940 that may be apportioned to Winston County under Section 657 of said Title 51.

Also:

S. 354. Authorizing Winston County to sublease to any municipality or public corporation in Winston County any space not needed by it in any project at any time leased by it from a public corporation now

or hereafter organized in Winston County under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama.

J. E. SPEIGHT,  
Secretary.

#### SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Lamberth, Flowers, Skidmore, Engelhardt, Davis (Pickens), Boutwell, Leonard, Roberts, Newton and Van Antwerp:

S. 46. To amend Section 152 of Title 41, Code of Alabama 1940, as amended, by an Act entitled "An Act to amend Section 152 of Title 41 of the Code of Alabama 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 46. Ways and Means.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 41. Relating to the industrial development of the State of Alabama; to create a Department of Industrial Development, provide for the appointment of the Director thereof and fix his compensation; define the powers and duties of said Department and Director, authorize the creation of divisions within said Department and the appointment of the personnel thereof; provide for an Industrial Development Board and for the appointment, terms and compensation of its members, prescribe its powers, duties and authority; transfer certain powers, authority, duties, functions, books, and records from the State Planning Board to the Department of Industrial Development; transfer the functions, power, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the Department of Publicity and Information, and of the director thereof, to the Department of Industrial Development, and abolish the Department of Publicity and Information.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Flowers, Metcalf and Boutwell.

J. E. SPEIGHT,  
Secretary.



## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Givhan:

S. J. R. 72. Whereas the Honorable George P. Quarles, of Selma, represented Dallas County for two terms (1935-1942) in the House of Representatives, and served as senator from Dallas County, 1946-1950, and was reelected senator from Dallas County for the period 1950-1954, and later became judge of probate of Dallas County, and

Whereas the members of the Legislature hold the highest regard for this distinguished public servant, and

Whereas the members of the Legislature have learned of the great personal loss suffered by Judge Quarles in the death of his brother on Friday, August 19, 1955, now therefore

Be it resolved by the Senate of Alabama, the House of Representatives concurring: That the members of the Legislature hereby extend their heartfelt condolences to Judge George P. Quarles and his family for their great loss.

Be it resolved further, that the Secretary of the Senate transmit a copy of this resolution to Judge Quarles.

J. E. SPEIGHT,  
Secretary.

## SENATE MESSAGE

On motion of Mr. Hardy the rules were suspended and the House concurred in and adopted the S. J. R. 72 set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Reeves:

S. 336. To amend Act No. 46, H. 36, approved April 7, 1955, which regulates the sale of eggs and provides for the inspection and grading thereof.

J. E. SPEIGHT,  
Secretary.

## SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 336. Business and Labor.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By the Rules Committee:

S. J. R. 73. RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, August 26, 1955.

J. E. SPEIGHT,  
Secretary.

### SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S. J. R. 73 set out in the above and foregoing Message from the Senate.

### MOTION IN WRITING

Mr. Hawkins filed the following Motion in Writing:

We move, under Rule 26, to send for absent members and that they be commanded to return to the House Chamber.

T. K. Selman	Hugh D. Merrill
J. H. Kelly	Woodrow Albea
J. M. Jenkins	Frank Hardy
Garnett Cox	B. V. Hain
Law	Charles Adams
Hunt	John M. Tyson
George C. Hawkins	M. Thomas Murphy
Joe Dawkins	Otto E. Simon
Broadfoot	J. B. Burkhalter

The Speaker directed that the Sergeant at Arms go for absent members and have them returned to the House Chamber.

### CONSIDERATION OF H. 251 RESUMED

#### And the bill:

H. 251. Providing for the regulation of the practice of ophthalmic dispensing; authorizing the issuance of certificates to registered qualified ophthalmic dispensers and ophthalmic technicians who are employed by Ophthalmic Dispensers creating an examining board to determine their respective qualifications and conferring powers and duties thereupon; and providing for penalties for violations of the provisions hereof.

As amended, was read a third time at length and lost.

Yeas 41; Nays 5.

#### Yeas:

Messrs.	Callahan	Gist	Hunt
Adams	Cox	Gregory	Jenkins
Albea	Dawkins	Hain	Johnson (Elmore)
Boyd	deGraffenried	Hall	Kaul
Brannan	Dement	Hardy	Kelly
Broadfoot	Dickson	Harvey	Law
Burkhalter	Edwards (Escambia)	Hawkins	Love

Meeks	Nice	Reynolds	Speaks
Merrill	Nolen	Selman	Tyson
Money	Payne	Simon	Wood
Murphy	Perry		

—41

**Nays:**

Mr. Speaker	Haltom	Harrison	Lee (Barbour)
Brown (Lamar)			

—5

**MOTION TO ADJOURN LOST**

The motion of Mr. Hawkins to adjourn until Friday, August 26, 1955, at ten o'clock A.M. was lost.

Yeas 25; Nays 30.

**Yeas:**

Messrs.	Edwards (Jefferson)	Johnson (Elmore)	Murphy
Ashworth	Goodwyn	Kaul	Nice
Bassett	Hain	Law	Perry
Boyd	Hardy	Love	Pirkle
Branyon	Harrison	Martin	Simon
Cox	Harvey	Money	Tyson
DeSear	Holliman		

—25

**Nays:**

Mr. Speaker	deGraffenried	Haltom	Nolen
Adams	Dement	Hunt	Reynolds
Albea	Dickson	Jenkins	Roberts
Brannan	Edwards (Escambia)	Kelly	Selman
Broadfoot	Ferrell	Lee (Barbour)	Stembridge
Brown (Lamar)	Gist	Lee (Lawrence)	Summerlin
Burkhalter	Gregory	Meeks	Wood
Callahan	Hall		

—30

**BILLS ON THIRD READING RESUMED**

H. 458. To create and establish a fund in the State Treasury to be designated as the Shipping Point Inspection Fund and to provide for deposits therein of certain funds, fees, costs, charges and collections; to provide for the withdrawal and expenditure of amounts deposited into the Shipping Point Inspection Fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

**Yeas:**

Mr. Speaker	Brown (Lamar)	Ferrell	Harrison
Adams	Cornett	Franklin	Hodges
Albea	Crook	Gilchrist	Holliman
Ashworth	Dawkins	Gist	Hunt
Bassett	deGraffenried	Gregory	Jenkins
Boyd	Dement	Grouby	Johnson (Elmore)
Bradford	Dickson	Hain	Kaul
Brannan	Edwards (Escambia)	Hall	Kelly
Branyon	Edwards (Jefferson)	Haltom	Kirkham
Broadfoot	Faulk	Hardy	Lackey

Law	McNider	Oakley	Solomon
Lee (Barbour)	Martin	Perry	Stembridge
Lee (Lawrence)	Mathison	Pruitt	Stokes
Love	Meeks	Ramey	Summerlin
McClendon	Money	Reynolds	Taylor
McKay	Nettles	Selman	Thomas
McLendon	Nolen	Shumate	Wood

—68

**And the bill:**

H. 961. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding five million (\$5,000,000) dollars principal amount of general obligation bonds of the State of Alabama additionally secured by pledge of a portion of the revenues derived from the State Park System, which bonds shall be used only for the purposes of improving, developing, enlarging and maintaining the State Park System of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 14.

**Yeas:**

Mr. Speaker	Dickson	Hunt	Nice
Adams	Edwards (Escambia)	Johnson (Elmore)	Nolen
Bassett	Edwards (Jefferson)	Kelly	Oakley
Bradford	Ferrell	Kirkham	Oden
Brannan	Franklin	Law	Payne
Branyon	Gilchrist	Lee (Lawrence)	Pirkle
Broadfoot	Gist	Love	Reynolds
Brown (Lamar)	Goodwyn	McClendon	Selman
Burkhalter	Gregory	McKay	Shumate
Callahan	Grouby	McLendon	Simon
Cornett	Hall	McNider	Stembridge
Cox	Harrison	Martin	Stokes
Crook	Harvey	Mathison	Summerlin
Dawkins	Hawkins	Merrill	Taylor
deGraffenried	Hodges	Money	Tyson
Dement	Holliman	Nettles	Wood
DeSear			

—65

**Nays:**

Messrs.	Faulk	Jenkins	Perry
Albea	Hain	Kaul	Richardson
Ashworth	Haltom	Lee (Barbour)	Solomon
Boyd	Hardy	Meeks	

—14

**MOTION LOST**

The motion of Mr. Hawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 96, was lost.

Yeas 31; Nays 36.

**Yeas:**

Mr. Speaker	Brown (Lamar)	deGraffenried	Gregory
Boyd	Callahan	Dement	Hall
Branyon	Cox	Edwards (Escambia)	Haltom
Broadfoot	Dawkins	Goodwyn	Hawkins

Hodges	Law	Oden	Simon
<del>Hunt</del>	<del>Lee (Lawrence)</del>	<del>Reynolds</del>	<del>Tyson</del>
Johnson (Elmore)	Martin	Selman	Wood
Kelly	Money	Shumate	

—31

**Nays:**

Messrs.	Ferrell	Lee (Barbour)	Perry
Adams	Franklin	McKay	Richardson
Albea	Gist	McLendon	Solomon
Ashworth	Hardy	McNider	Stembridge
Bradford	Holliman	Mathison	Stokes
Cornett	Jenkins	Meeks	Summerlin
DeSear	Kaul	Nice	Taylor
Dickson	Kirkham	Oakley	Thomas
Edwards (Jefferson)	Lackey	Payne	Windle
Faulk			

—36

**MOTION LOST**

The motion of Mr. Gilchrist to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 705, was lost.

Yeas 46; Nays 25.

**Yeas:**

Mr. Speaker	Gregory	Lee (Barbour)	Pruitt
Bassett	Grouby	Lee (Lawrence)	Reynolds
Bradford	Hain	McKay	Richardson
Brannan	Hall	McLendon	Roberts
Branyon	Hardy	McNider	Solomon
Crook	Harvey	Martin	Stokes
Dement	Hodges	Mathison	Summerlin
DeSear	Hunt	Nettles	Taylor
Dickson	Jenkins	Oakley	Thomas
Franklin	Johnson (Elmore)	Oden	Tyson
Gilchrist	Kirkham	Payne	Windle
Goodwyn	Law		

—46

**Nays:**

Messrs.	Cornett	Holliman	Money
Adams	deGraffenried	Kaul	Murphy
Ashworth	Edwards (Escambia)	Lackey	Nice
Boyd	Edwards (Jefferson)	McClendon	Perry
Brown (Lamar)	Gist	Meeks	Simon
Burkhalter	Haltom	Merrill	Wood
Callahan	Harrison		

—25

**REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 878. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any

subsequent decennial federal census; authorizing the court of county commissioners, board of revenue, or like governing body of any such county to levy additional privilege license and excise taxes for hospital and educational purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

**RANKIN FITE,**  
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

#### CERTIFICATE OF CLERK

The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:40 P.M. On August 23, 1955.

H. J. R. 68

H. J. R. 70

**R. T. GOODWYN, JR.,**  
Clerk.

#### ADJOURNMENT

On motion of Mr. Perry the House adjourned until Friday, August 26, 1955, at ten o'clock A.M.

Yeas 43; Nays 36.

#### Yeas:

Mr. Speaker	Edwards (Jefferson)	Love	Pirkle
Ashworth	Faulk	McKay	Richardson
Bassett	Ferrell	McLendon	Selman
Boyd	Franklin	McNider	Shumate
Bradford	Harvey	Martin	Simon
Burkhalter	Hodges	Mathison	Solomon
Cornett	Holliman	Meeks	Stembridge
Cox	Johnson (Elmore)	Merrill	Thomas
Crook	Kaul	Murphy	Tyson
DeSear	Kirkham	Payne	Wood
Edwards (Escambia)	Lackey	Perry	

#### Nays:

Messrs.	Brown (Lee)	Gregory	Jenkins
Adams	Callahan	Grouby	Law
Albea	Dawkins	Hain	Lee (Lawrence)
Brannan	deGraffenried	Hall	McClendon
Branyon	Dement	Haltom	Money
Broadfoot	Dickson	Harrison	Nettles
Brown (Lamar)	Gist	Hunt	Nice

Nolen	Pruitt	Roberts	Taylor
<del>Oakley</del>	<del>Reynolds</del>	<del>Summerlin</del>	<del>Windle</del>
Oden			

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## THIRTY-FOURTH DAY

House of Representatives  
Montgomery, Alabama  
Friday, August 26, 1955

The House met pursuant to adjournment.

## PRAYER

The session was opened with prayer by the Reverend Marion S. Brantley, Pastor, Burge Memorial Methodist Church, Montgomery, Alabama.

## ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Faulk	Killough	Payne
Adams	Ferrell	Kirkham	Perry
Albea	Franklin	Lackey	Pirkle
Ashworth	Gilchrist	Law	Pruitt
Bassett	Gist	Lee (Barbour)	Ramey
Boyd	Goodwyn	Lee (Lawrence)	Reynolds
Bradford	Gregory	Locke (Choctaw)	Richardson
Brannan	Grouby	Locke (Perry)	Roberts
Brassell	Hain	Love	Selman
Brewer	Hall	McClendon	Shumate
Broadfoot	Haltom	McKay	Simon
Brooks	Hanby	McLendon	Solomon
Brown (Lamar)	Hardy	McNider	Speaks
Brown (Lee)	Hare	Martin	Steagall
Burkhalter	Harrison	Mathews	Stembridge
Callahan	Harvey	Mathison	Stokes
Cornett	Hodges	Meeks	Summerlin
Cox	Holliman	Merrill	Taylor
Dawkins	Huddleston	Molette	Thomas
deGraffenried	Hunt	Money	Tyson
Dement	Jenkins	Nettles	Vacca
DeSear	Johnson (Elmore)	Nice	Ward
Dickson	Kaul	Nolen	Windle
Edwards (Escambia)	Kelly	Oakley	Wood
Edwards (Jefferson)	Kendall	Oden	

—100

A quorum was present.

## REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-third legislative day and finds the same to be correct.

RANKIN FITE,  
Chairman.

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the thirty-third legislative day was dispensed with

and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the thirty-third legislative day was approved.

#### REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolutions and ordered same returned to the House with a favorable report.

By Rules Committee:

H. R. 73. BE IT RESOLVED BY THE HOUSE that the following bills in the order named be made special, paramount and continuing order of business for today, taking precedence over bills now on Special Order:

1. H. B. No. 461	Page 1 (Unfinished Business)
2. S. B. No. 316	Page 90
3. H. B. No. 96	Page 6
4. H. B. No. 769	Page 90
5. H. B. No. 879	Page 79
6. H. B. No. 868	Page 66

BE IT FURTHER RESOLVED that the following bills in the order named be added to the existing Special Order:

H. B. No. 92	Page 54
H. B. No. 837	Page 72
H. B. No. 838	Page 72
H. B. No. 839	Page 73
H. B. No. 260	Page 42
H. B. No. 805	Page 45
H. B. No. 825	Page 57
H. B. No. 436	Page 35
H. B. No. 784	Page 46
H. B. No. 475	Page 34

And H. R. 73 was adopted.

Also:

By Rules Committee:

H. J. R. 74. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Clerk of the House be authorized and empowered to appoint an electrical roll call operator and an additional Assistant Clerk, who shall be paid the same per diem and allowance and serve during the same time as the present Assistant Clerks.

And H. J. R. 74 was adopted.



## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Bill:

H. B. 788. To raise revenue for educational purposes; levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

And said Bill, H. B. 788, together with the report of the Committee on Conference, is herewith returned to the House.

J. E. SPEIGHT,  
Secretary.

## BILLS ON SECOND READING

Mr. Adams, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 218. To amend further Section 429 of Title 51, Code of Alabama (1940), which relates to the tax on financial institutions.

S. 221. To amend Section 404 of Title 37 of the Code of 1940 relating to election of mayor and aldermen; legislative functions.

S. 241. To confer on each city in this state having a population of 6,000 or more inhabitants according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance, street and sidewalk improvements and sewer improvements outside of the corporate limits of such city and within its police jurisdiction as it may have under any law now existing or hereafter enacted respecting the construction of, and the issuance of securities to finance, any such improvements within the corporate limits of such city; to confer on each such city the same powers to assess the cost of any such improvements, whether constructed within the city or outside the city and within its police jurisdiction, against the properties specially benefited by such improvements whether such properties are located in such city or outside such city and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such city of the cost of such improvements constructed in such city; to confer on each such city the power to finance any such improvements, constructed outside the city and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements; and to repeal Act No. 884 adopted at the 1953 Regular Session of the Legislature of Alabama.

S. 253. To amend Section 73 (2377) of Title 37 of the Code of 1940 relating to compensation of commissioners.

S. 254. To amend further Section 105 of Title 37 of the Code of 1940 relating to compensation of commissioners.

Mr. Dawkins, Vice-Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the

following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 131 (with substitute). To provide for the transfer of all surplus in the State Treasury to the credit of the Alabama Special Educational Trust Fund, after the payment of all appropriations made or hereafter made payable from said fund during the fiscal year ending September 30, 1955, to the Alabama Special Educational Trust Fund Surplus Account; To provide that said funds be used exclusively for increase in the salaries of the teachers in the public school system, the institutions of higher learning, and the trade schools: To provide the method of distribution and payment thereof, and to repeal Act No. 813, approved September 19, 1953 entitled "An Act To provide for the transfer on September 30, 1955 of any surplus in the State Treasury to the credit of the Alabama Special Educational Trust Fund, after payment of all appropriations from said funds for the biennium beginning October 1, 1953 and ending September 30, 1955, to the Alabama State Building Commission to be used as a part of the Building Commission Fund".

Mr. Dawkins, Vice-Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 200. To amend Sections 364 and 366 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

S. 286. Providing that every person, firm, or corporation who sells or furnishes any tractor, scraper, motor vehicle, machinery or like equipment of any kind, or part therefor, or repairs thereto, the purchase price of which exceeds Twenty-Five Dollars (\$25.00), shall have a lien for the full price thereof on the vehicle; providing for the recording of such lien and for the enforcement thereof.

S. 46. To amend Section 152 of Title 41, Code of Alabama 1940, as amended, by an Act entitled "An Act to amend Section 152 of Title 41 of the Code of Alabama 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951.

S. 51. To amend Act No. 703, H. 544, approved September 5, 1951, which created the State Department of Public Welfare and made provisions for the administration of the State's public welfare program (Acts of 1950-1951, Vol. II, page 1211).

S. 230. To provide further for promoting, developing, constructing, maintaining, and operating harbors and ports within the State; to define and prescribe further the jurisdiction, powers, and authority of the state docks department.

Mr. Solomon, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 290 (with amendment). To amend Sections 658 and 663 of Title 2, Code of Alabama (1940), which relate to soil conservation districts.

Mr. Oden, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 336. To amend Act No. 46, H. 36, approved April 7, 1955, which ~~regulates the sale of eggs and provides for the inspection and grading thereof.~~

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 279. Relating to crimes and offenses: To define the crime of indecent molestation of children and to fix the punishment therefor.

#### BILLS ON THIRD READING

S. 188. To regulate further the office of circuit solicitor of the Fourth Judicial Circuit of Alabama: Creating a solicitor's fund for the use of the circuit solicitor.

Was read a third time at length and passed.

Yeas 82; Nays 0.

#### Yeas:

Mr. Speaker	Faulk	Killough	Oden
Adams	Ferrell	Kirkham	Payne
Albea	Franklin	Lackey	Pirkle
Ashworth	Gilchrist	Lee (Lawrence)	Pruitt
Bassett	Gist	Locke (Choctaw)	Reynolds
Boyd	Goodwyn	Locke (Perry)	Richardson
Bradford	Gregory	Love	Roberts
Brannan	Grouby	McClendon	Selman
Branyon	Hall	McKay	Shumate
Brassell	Haltom	McLendon	Simon
Brewer	Hanby	McNider	Speaks
Brooks	Hardy	Martin	Steagall
Brown (Lamar)	Hare	MEEKS	Stembridge
Brown (Lee)	Harrison	Merrill	Stokes
Cox	Harvey	Molette	Stembridge
deGraffenried	Hodges	Money	Tyson
Dement	Hunt	Nettles	Vacca
DeSear	Jenkins	Nice	Ward
Dickson	Johnson (Elmore)	Nolen	Windle
Edwards (Escambia)	Kelly	Oakley	Wood
Edwards (Jefferson)	Kendall		

—82

And the bill:

H. 772. To provide a law enforcement fund for the use of the circuit judge and circuit solicitor of the Twenty-fourth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

#### Yeas:

Mr. Speaker	Bradford	Brown (Lamar)	Dickson
Adams	Brannan	Brown (Lee)	Edwards (Escambia)
Albea	Branyon	Cox	Edwards (Jefferson)
Ashworth	Brassell	deGraffenried	Faulk
Bassett	Brewer	Dement	Ferrell
Boyd	Brooks	DeSear	Franklin

Gilchrist	Johnson (Elmore)	Meeks	Roberts
Gist	Kelly	Merrill	Selman
Goodwyn	Kendall	Molette	Shumate
Gregory	Killough	Money	Simon
Grouby	Kirkham	Nettles	Speaks
Hall	Lackey	Nice	Steagall
Haltom	Lee (Lawrence)	Nolen	Stembridge
Hanby	Locke (Choctaw)	Oakley	Stokes
Hardy	Locke (Perry)	Oden	Summerlin
Hare	Love	Payne	Tyson
Harrison	McClendon	Pirkle	Vacca
Harvey	McKay	Pruitt	Ward
Hodges	McLendon	Reynolds	Windle
Hunt	McNider	Richardson	Wood
Jenkins	Martin		

—82

And the bill:

S. 21 (with substitute). To make an appropriation for the support and maintenance of Walker County Junior College.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

#### WAYS AND MEANS COMMITTEE SUBSTITUTE FOR S. B. 21

#### A BILL TO BE ENTITLED AN ACT

To make an appropriation for the support and maintenance of Walker County Junior College.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of ten thousand dollars (\$10,000.00) is hereby appropriated annually for each of the fiscal years ending September 30, 1956 and September 30, 1957, from any funds in the State Treasury not otherwise appropriated, for the use and benefit of Walker County Junior College, located at Jasper, Walker County, Alabama, to be used for the support and maintenance of said college.

Section 2. This act shall become effective on October 1, 1955.

And the substitute was adopted.

Yeas 82; Nays 0.

#### Yeas:

Mr. Speaker	Brooks	Ferrell	Hare
Adams	Brown (Lamar)	Franklin	Harrison
Albea	Brown (Lee)	Gilchrist	Harvey
Ashworth	Cox	Gist	Hodges
Bassett	deGraffenried	Goodwyn	Hunt
Boyd	Dement	Gregory	Jenkins
Bradford	DeSear	Grouby	Johnson (Elmore)
Brannan	Dickson	Hall	Kelly
Branyon	Edwards (Escambia)	Haltom	Kendall
Brassell	Edwards (Jefferson)	Hanby	Killough
Brewer	Faulk	Hardy	Kirkham

Lackey	Meeks	Pirkle	Steagall
Lee (Lawrence)	Merrill	Pruitt	Stembridge
Locke (Choctaw)	Molette	Reynolds	Stokes
Locke (Perry)	Money	Richardson	Summerlin
Love	Nettles	Roberts	Tyson
McClendon	Nice	Selman	Vacca
McKay	Nolen	Shumate	Ward
McLendon	Oakley	Simon	Windle
McNider	Oden	Speaks	Wood
Martin	Payne		

—82

And said bill, S. 21, as thus amended, was read a third time at length and passed.

Yeas 82; Nays 0.

**Yeas:**

Mr. Speaker	Faulk	Killough	Oden
Adams	Ferrell	Kirkham	Payne
Albea	Franklin	Lackey	Pirkle
Ashworth	Gilchrist	Lee (Lawrence)	Pruitt
Bassett	Gist	Locke (Choctaw)	Reynolds
Boyd	Goodwyn	Locke (Perry)	Richardson
Bradford	Gregory	Love	Roberts
Brannan	Grouby	McClendon	Selman
Branyon	Hall	McKay	Shumate
Brassell	Haltom	McLendon	Simon
Brewer	Hanby	McNider	Speaks
Brooks	Hardy	Martin	Steagall
Brown (Lamar)	Hare	Meeks	Stembridge
Brown (Lee)	Harrison	Merrill	Stokes
Cox	Harvey	Molette	Summerlin
deGraffenried	Hodges	Money	Tyson
Dement	Hunt	Nettles	Vacca
DeSear	Jenkins	Nice	Ward
Dickson	Johnson (Elmore)	Nolen	Windle
Edwards (Escambia)	Kelly	Oakley	Wood
Edwards (Jefferson)	Kendall		

—82

And the bill:

H. 1024. To alter or rearrange the boundary lines of the Town of Vestavia Hills, Alabama, so as to include within the corporate limits of said Town territory not already included therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

**Yeas:**

Mr. Speaker	Brassell	Dickson	Gregory
Adams	Brewer	Edwards (Escambia)	Grouby
Albea	Brooks	Edwards (Jefferson)	Hall
Ashworth	Brown (Lamar)	Faulk	Haltom
Bassett	Brown (Lee)	Ferrell	Hanby
Boyd	Cox	Franklin	Hardy
Bradford	deGraffenried	Gilchrist	Hare
Brannan	Dement	Gist	Harrison
Branyon	DeSear	Goodwyn	Harvey

Hodges	Locke (Perry)	Nice	Shumate
Hunt	Love	Nolen	Simon
Jenkins	McClendon	Oakley	Speaks
Johnson (Elmore)	McKay	Oden	Steagall
Kaul	McLendon	Payne	Stembridge
Kelly	McNider	Perry	Stokes
Kendall	Martin	Pirkle	Summerlin
Killough	Meeks	Pruitt	Tyson
Kirkham	Merrill	Reynolds	Vacca
Lackey	Molette	Richardson	Ward
Lee (Lawrence)	Money	Roberts	Windle
Locke (Choctaw)	Nettles	Selman	Wood

—84

And the bill:

H. 1015. To amend further Sections 1 and 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County, Alabama, on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge.

Was taken up.

Messrs. Brewer and Gilchrist offered the following amendment to the bill, H. 1015:

#### AMENDMENT TO HOUSE BILL NO. 1015

Amend Section I of said Bill by striking the words and figures "Seven Thousand Five Hundred Dollars (\$7,500.00)" wherever the same appear and inserting in lieu thereof the words and figures "Eight Thousand Five Hundred Dollars (\$8,500.00)".

And the amendment was adopted.

Yeas 90; Nays 0.

#### Yeas:

Mr. Speaker	Ferrell	Law	Perry
Adams	Franklin	Lee (Barbour)	Pirkle
Albea	Gilchrist	Lee (Lawrence)	Pruitt
Ashworth	Gist	Locke (Choctaw)	Ramey
Bassett	Goodwyn	Locke (Perry)	Reynolds
Boyd	Gregory	Love	Richardson
Bradford	Grouby	McClendon	Roberts
Brannan	Hall	McKay	Selman
Branyon	Haltom	McLendon	Shumate
Brassell	Hanby	McNider	Simon
Brewer	Hardy	Martin	Solomon
Brooks	Hare	Mathison	Speaks
Brown (Lamar)	Harrison	Meeks	Steagall
Brown (Lee)	Harvey	Merrill	Stembridge
Cornett	Hodges	Molette	Stokes
Cox	Hunt	Money	Summerlin
deGraffenried	Jenkins	Nettles	Thomas
Dement	Johnson (Elmore)	Nice	Tyson
DeSear	Kelly	Nolen	Vacca
Dickson	Kendall	Oakley	Ward
Edwards (Escambia)	Killough	Oden	Windle
Edwards (Jefferson)	Kirkham	Payne	Wood
Faulk	Lackey		

—90

And said bill, H. 1015, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

**Yeas:**

Mr. Speaker	Ferrell	Law	Perry
Adams	Franklin	Lee (Barbour)	Pirkle
Albea	Gilchrist	Lee (Lawrence)	Pruitt
Ashworth	Gist	Locke (Choctaw)	Ramey
Bassett	Goodwyn	Locke (Perry)	Reynolds
Boyd	Gregory	Love	Richardson
Bradford	Grouby	McClendon	Roberts
Brannan	Hall	McKay	Selman
Branyon	Haltom	McLendon	Shumate
Brassell	Hanby	McNider	Simon
Brewer	Hardy	Martin	Solomon
Brooks	Hare	Mathison	Speaks
Brown (Lamar)	Harrison	Meeks	Steagall
Brown (Lee)	Harvey	Merrill	Stembridge
Cornett	Hodges	Molette	Stokes
Cox	Hunt	Money	Summerlin
deGraffenried	Jenkins	Nettles	Thomas
Dement	Johnson (Elmore)	Nice	Tyson
DeSear	Kelly	Nolen	Vacca
Dickson	Kendall	Oakley	Ward
Edwards (Escambia)	Killough	Oden	Windle
Edwards (Jefferson)	Kirkham	Payne	Wood
Faulk	Lackey		

—90

And the bill:

H. 1013. To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

Was taken up.

Messrs. Brewer and Gilchrist offered the following amendment to the bill, H. 1013:

**AMENDMENT TO H. B. NO. 1013**

Amend Section 1 of said bill by striking the words and figures "Five Thousand Two Hundred Dollars (\$5,200.00)" wherever the same appear and inserting in lieu thereof the words and figures "Five Thousand Four Hundred Dollars (\$5,400.00)".

And the amendment was adopted.

Yeas 90; Nays 0.

**Yeas:**

Mr. Speaker	Bradford	Brown (Lamar)	DeSear
Adams	Brannan	Brown (Lee)	Dickson
Albea	Branyon	Cornett	Edwards (Escambia)
Ashworth	Brassell	Cox	Edwards (Jefferson)
Bassett	Brewer	deGraffenried	Faulk
Boyd	Brooks	Dement	Ferrell

Franklin	Kelly	Meeks	Roberts
Gilchrist	Kendall	Merrill	Selman
Gist	Killough	Molette	Shumate
Goodwyn	Kirkham	Money	Simon
Gregory	Lackey	Nettles	Solomon
Grouby	Law	Nice	Speaks
Hall	Lee (Barbour)	Nolen	Steagall
Haltom	Lee (Lawrence)	Oakley	Stembridge
Hanby	Locke (Choctaw)	Oden	Stokes
Hardy	Locke (Perry)	Payne	Summerlin
Hare	Love	Perry	Thomas
Harrison	McClendon	Pirkle	Tyson
Harvey	McKay	Pruitt	Vacca
Hodges	McLendon	Ramey	Ward
Hunt	McNider	Reynolds	Windle
Jenkins	Martin	Richardson	Wood
Johnson (Elmore)	Mathison		

—90

And said bill, H. 1013, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

#### Yeas:

Mr. Speaker	Ferrell	Law	Perry
Adams	Franklin	Lee (Barbour)	Pirkle
Albea	Gilchrist	Lee (Lawrence)	Pruitt
Ashworth	Gist	Locke (Choctaw)	Ramey
Bassett	Goodwyn	Locke (Perry)	Reynolds
Boyd	Gregory	Love	Richardson
Bradford	Grouby	McClendon	Roberts
Brannan	Hall	McKay	Selman
Branyon	Haltom	McLendon	Shumate
Brassell	Hanby	McNider	Simon
Brewer	Hardy	Martin	Solomon
Brooks	Hare	Mathison	Speaks
Brown (Lamar)	Harrison	Meeks	Steagall
Brown (Lee)	Harvey	Merrill	Stembridge
Cornett	Hodges	Molette	Stokes
Cox	Hunt	Money	Summerlin
deGraffenried	Jenkins	Nettles	Thomas
Dement	Johnson (Elmore)	Nice	Tyson
DeSear	Kelly	Nolen	Vacca
Dickson	Kendall	Oakley	Ward
Edwards (Escambia)	Killough	Oden	Windle
Edwards (Jefferson)	Kirkham	Payne	Wood
Faulk	Lackey		

—90

And the bill:

H. 1029. To provide for a court of limited jurisdiction in Beat 12 of Talladega County; to provide for the court's officers and their term, powers, duties, compensation, and method of selection; to prescribe the jurisdiction of the court; to regulate its procedure and process; to provide for the return of warrants thereto; to fix the costs, charges, and commissions collectible in the court; to provide for appeals from the court; and to regulate the abolition of the court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.



Yeas 90; Nays 0.

**Yeas:**

Mr. Speaker	Ferrell	Law	Perry
Adams	Franklin	Lee (Barbour)	Pirkle
Albea	Gilchrist	Lee (Lawrence)	Pruitt
Ashworth	Gist	Locke (Choctaw)	Ramey
Bassett	Goodwyn	Locke (Perry)	Reynolds
Boyd	Gregory	Love	Richardson
Bradford	Grouby	McClendon	Roberts
Brannan	Hall	McKay	Selman
Branyon	Haltom	McLendon	Shumate
Brassell	Hanby	McNider	Simon
Brewer	Hardy	Martin	Solomon
Brooks	Hare	Mathison	Speaks
Brown (Lamar)	Harrison	Meeks	Steagall
Brown (Lee)	Harvey	Merrill	Stembridge
Cornett	Hodges	Molette	Stokes
Cox	Hunt	Money	Summerlin
deGraffenried	Jenkins	Nettles	Thomas
Dement	Johnson (Elmore)	Nice	Tyson
DeSear	Kelly	Nolen	Vacca
Dickson	Kendall	Oakley	Ward
Edwards (Escambia)	Killough	Oden	Windle
Edwards (Jefferson)	Kirkham	Payne	Wood
Faulk	Lackey		

—90

And the bill:

H. 1012. Proposing an amendment to the Constitution of Alabama relating to the powers and authority of the court of county commissioners, board of revenue, or like governing body of Marion and Lamar counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Molette
Adams	Edwards (Jefferson)	Kelly	Money
Albea	Faulk	Kendall	Nettles
Ashworth	Ferrell	Killough	Nice
Bassett	Franklin	Kirkham	Nolen
Boyd	Gilchrist	Lackey	Oakley
Bradford	Gist	Law	Oden
Brannan	Goodwyn	Lee (Barbour)	Payne
Branyon	Gregory	Lee (Lawrence)	Perry
Brassell	Grouby	Locke (Choctaw)	Pirkle
Brewer	Hall	Locke (Perry)	Pruitt
Brooks	Haltom	Love	Ramey
Brown (Lamar)	Hanby	McClendon	Reynolds
Brown (Lee)	Hardy	McKay	Richardson
Cornett	Hare	McLendon	Roberts
Cox	Harrison	McNider	Selman
deGraffenried	Harvey	Martin	Shumate
Dement	Hodges	Mathison	Simon
DeSear	Hunt	Meeks	Solomon
Dickson	Jenkins	Merrill	Speaks

Steagall  
Stembridge  
Stokes

Summerlin  
Thomas  
Tyson

Vacca  
Ward

Windle  
Wood

—90

And the bill:

H. 1026. To authorize and empower the sheriff of Wilcox County to appoint an additional deputy whose compensation shall be paid in part out of the general fund in the county treasury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

**Yeas:**

Mr. Speaker	Ferrell	Law	Perry
Adams	Franklin	Lee (Barbour)	Pirkle
Albea	Gilchrist	Lee (Lawrence)	Pruitt
Ashworth	Gist	Locke (Choctaw)	Ramey
Bassett	Goodwyn	Locke (Perry)	Reynolds
Boyd	Gregory	Love	Richardson
Bradford	Grouby	McClendon	Roberts
Brannan	Hall	McKay	Selman
Branyon	Haltom	McLendon	Shumate
Brassell	Hanby	McNider	Simon
Brewer	Hardy	Martin	Solomon
Brooks	Hare	Mathison	Speaks
Brown (Lamar)	Harrison	Meeks	Steagall
Brown (Lee)	Harvey	Merrill	Stembridge
Cornett	Hodges	Mollette	Stokes
Cox	Hunt	Money	Summerlin
deGraffenried	Jenkins	Nettles	Thomas
Dement	Johnson (Elmore)	Nice	Tyson
DeSear	Kelly	Nolen	Vacca
Dickson	Kendall	Oakley	Ward
Edwards (Escambia)	Killough	Oden	Windle
Edwards (Jefferson)	Kirkham	Payne	Wood
Faulk	Lackey		

—90

And the bill:

H. 1011. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

**Yeas:**

Mr. Speaker	Ferrell	Law	Perry
Adams	Franklin	Lee (Barbour)	Pirkle
Albea	Gilchrist	Lee (Lawrence)	Pruitt
Ashworth	Gist	Locke (Choctaw)	Ramey
Bassett	Goodwyn	Locke (Perry)	Reynolds
Boyd	Gregory	Love	Richardson
Bradford	Grouby	McClendon	Roberts
Brannan	Hall	McKay	Selman
Branyon	Haltom	McLendon	Shumate
Brassell	Hanby	McNider	Simon
Brewer	Hardy	Martin	Solomon
Brooks	Hare	Mathison	Speaks
Brown (Lamar)	Harrison	Meeks	Steagall
Brown (Lee)	Harvey	Merrill	Stembridge
Cornett	Hodges	Molette	Stokes
Cox	Hunt	Money	Summerlin
deGraffenried	Jenkins	Nettles	Thomas
Dement	Johnson (Elmore)	Nice	Tyson
DeSear	Kelly	Nolen	Vacca
Dickson	Kendall	Oakley	Ward
Edwards (Escambia)	Killough	Oden	Windle
Edwards (Jefferson)	Kirkham	Payne	Wood
Faulk	Lackey		

—90

And the bill:

H. 1009. Relating to Chilton County: To amend Act No. 872, H. 1118 approved September 12, 1951, which established the Board of Revenue and Control of Chilton County and abolished the Court of County Commissioners.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

**Yeas:**

Mr. Speaker	Dement	Harrison	McKay
Adams	DeSear	Harvey	McLendon
Albea	Dickson	Hodges	McNider
Ashworth	Edwards (Escambia)	Hunt	Martin
Bassett	Edwards (Jefferson)	Jenkins	Mathison
Boyd	Faulk	Johnson (Elmore)	Meeks
Bradford	Ferrell	Kelly	Merrill
Brannan	Franklin	Kendall	Molette
Branyon	Gilchrist	Killough	Money
Brassell	Gist	Kirkham	Nettles
Brewer	Goodwyn	Lackey	Nice
Brooks	Gregory	Law	Nolen
Brown (Lamar)	Grouby	Lee (Barbour)	Oakley
Brown (Lee)	Hall	Lee (Lawrence)	Oden
Burkhalter	Haltom	Locke (Choctaw)	Payne
Cornett	Hanby	Locke (Perry)	Perry
Cox	Hardy	Love	Pirkle
deGraffenried	Hare	McClendon	Pruitt

Ramey	Shumate	Stembridge	Vacca
Reynolds	Simon	Stokes	Ward
Richardson	Solomon	Summerlin	Windle
Roberts	Speaks	Thomas	Wood
Selman	Steagall	Tyson	

—91

And the bill:

H. 1031. To create the office of Deputy Solicitor for Chilton County; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; and to repeal all general and local laws in conflict herewith so far as they relate to Chilton County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

**Yeas:**

Mr. Speaker	Faulk	Lackey	Perry
Adams	Ferrell	Law	Pirkle
Albea	Franklin	Lee (Barbour)	Pruitt
Ashworth	Gilchrist	Lee (Lawrence)	Ramey
Bassett	Gist	Locke (Choctaw)	Reynolds
Boyd	Goodwyn	Locke (Perry)	Richardson
Bradford	Gregory	Love	Roberts
Brannan	Grouby	McClendon	Selman
Branyon	Hall	McKay	Shumate
Brassell	Haltom	McLendon	Simon
Brewer	Hanby	McNider	Solomon
Brooks	Hardy	Martin	Speaks
Brown (Lamar)	Hare	Mathison	Steagall
Brown (Lee)	Harrison	Meeks	Stembridge
Burkhalter	Harvey	Merrill	Stokes
Cornett	Hodges	Molette	Summerlin
Cox	Hunt	Money	Thomas
deGraffenried	Jenkins	Nettles	Tyson
Dement	Johnson (Elmore)	Nice	Vacca
DeSear	Kelly	Nolen	Ward
Dickson	Kendall	Oakley	Windle
Edwards (Escambia)	Killough	Oden	Wood
Edwards (Jefferson)	Kirkham	Payne	

—91

And the bill:

S. 355. Relating to Macon County: To authorize and empower the county board of education of Macon County to discharge, with or without cause, and with or without notice or hearing, any teacher in the public school system on continuing service status, notwithstanding the provisions of the general law relating to the tenure and employment of teachers.

Was read a third time at length and passed.

Yeas 90; Nays 0.

**Yeas:**

Mr. Speaker	Ashworth	Bradford	Brassell
Adams	Bassett	Brannan	Brewer
Albea	Boyd	Branyon	Brooks

Brown (Lamar)	Haltom	Love	Ramey
Brown (Lee)	Hanby	McClendon	Reynolds
Burkhalter	Hardy	McKay	Richardson
Cornett	Hare	McLendon	Roberts
Cox	Harrison	McNider	Selman
deGraffenried	Harvey	Martin	Shumate
Dement	Hodges	Mathison	Simon
DeSear	Hunt	Meeks	Solomon
Dickson	Jenkins	Merrill	Speaks
Edwards (Escambia)	Johnson (Elmore)	Molette	Steagall
Edwards (Jefferson)	Kelly	Money	Stembridge
Faulk	Kendall	Nettles	Stokes
Ferrell	Killough	Nolen	Summerlin
Franklin	Kirkham	Oakley	Thomas
Gilchrist	Lackey	Oden	Tyson
Gist	Law	Payne	Vacca
Goodwyn	Lee (Barbour)	Perry	Ward
Gregory	Lee (Lawrence)	Pirkle	Windle
Grouby	Locke (Choctaw)	Pruitt	Wood
Hall	Locke (Perry)		

—90

And the bill:

H. 1008. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

#### Yeas:

Mr. Speaker	Faulk	Lackey	Perry
Adams	Ferrell	Law	Pirkle
Albea	Franklin	Lee (Barbour)	Pruitt
Ashworth	Gilchrist	Lee (Lawrence)	Ramey
Bassett	Gist	Locke (Choctaw)	Reynolds
Boyd	Goodwyn	Locke (Perry)	Richardson
Bradford	Gregory	Love	Roberts
Brannan	Grouby	McClendon	Selman
Branyon	Hall	McKay	Shumate
Brassell	Haltom	McLendon	Simon
Brewer	Hanby	McNider	Solomon
Brooks	Hardy	Martin	Speaks
Brown (Lamar)	Hare	Mathison	Steagall
Brown (Lee)	Harrison	Meeks	Stembridge
Burkhalter	Harvey	Merrill	Stokes
Cornett	Hodges	Molette	Summerlin
Cox	Hunt	Money	Thomas
deGraffenried	Jenkins	Nettles	Tyson
Dement	Johnson (Elmore)	Nice	Vacca
DeSear	Kelly	Nolen	Ward
Dickson	Kendall	Oakley	Windle
Edwards (Escambia)	Killough	Oden	Wood
Edwards (Jefferson)	Kirkham	Payne	

—91

And the bill:

H. 1010. Relating to the election of the Mayor of the City of Russellville, Alabama, by providing for a second or run-off election in the event no candidate for the office of Mayor receives in the first or regular election a majority of the votes cast therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Faulk	Kirkham	ayne
Adams	Ferrell	Lackey	erry
Albea	Franklin	Law	Pirkle
Ashworth	Gilchrist	Lee (Barbour)	Pruitt
Bassett	Gist	Lee (Lawrence)	Ramey
Boyd	Goodwyn	Locke (Choctaw)	Reynolds
Bradford	Gregory	Locke (Perry)	Richardson
Brannan	Grouby	Love	Roberts
Branyon	Hall	McClendon	Selman
Brassell	Haltom	McKay	Shumate
Brewer	Hanby	McLendon	Simon
Brooks	Hardy	McNider	Solomon
Brown (Lamar)	Hare	Martin	Speaks
Brown (Lee)	Harrison	Mathison	Steagall
Burkhalter	Harvey	Meeks	Stembridge
Cornett	Hodges	Merrill	Stokes
Cox	Holliman	Molette	Summerlin
deGraffenried	Hunt	Money	Thomas
Dement	Jenkins	Nettles	Tyson
DeSear	Johnson (Elmore)	Nice	Vacca
Dickson	Kelly	Nolen	Ward
Edwards (Escambia)	Kendall	Oakley	Windle
Edwards (Jefferson)	Killough	Oden	Wood

—92

And the bill:

H. 1019. To amend Sections 1 and 2 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the chairman and members of the Board of Revenue and Control of Morgan County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Brooks	Edwards (Jefferson)	Hanby
Adams	Brown (Lamar)	Faulk	Hardy
Albea	Brown (Lee)	Ferrell	Hare
Ashworth	Burkhalter	Franklin	Harrison
Bassett	Cornett	Gilchrist	Harvey
Boyd	Cox	Gist	Hodges
Bradford	deGraffenried	Goodwyn	Holliman
Brannan	Dement	Gregory	Hunt
Branyon	DeSear	Grouby	Jenkins
Brassell	Dickson	Hall	Johnson (Elmore)
Brewer	Edwards (Escambia)	Haltom	Kelly

Kendall	McLendon	Oden	Solomon
Killough	McNider	Payne	Speaks
Kirkham	Martin	Perry	Steagall
Lackey	Mathison	Pirkle	Stembridge
Law	Meeks	Pruitt	Stokes
Lee (Barbour)	Merrill	Ramey	Summerlin
Lee (Lawrence)	Molette	Reynolds	Thomas
Locke (Choctaw)	Money	Richardson	Tyson
Locke (Perry)	Nettles	Roberts	Vacca
Love	Nice	Selman	Ward
McClendon	Nolen	Shumate	Windle
McKay	Oakley	Simon	Wood

—92

And the bill:

H. 1018. For the relief of James Maxwell of Morgan County: Authorizing and directing the court of county commissioners, board of revenue, or like county governing body of Morgan County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of one thousand dollars (\$1,000.00) to compensate James Maxwell for personal injuries suffered by him while acting within the line and scope of his employment with the county, leaving him permanently partially disabled.

Was taken up.

Messrs. Brewer and Gilchrist offered the following amendment to the bill, H. 1018:

#### AMENDMENT TO HOUSE BILL NO. 1018

Amend Section 1 of said Bill and the caption thereof by striking the words and figures "One Thousand Dollars (\$1,000.00)" wherever the same appear and inserting in lieu thereof the words and figures "Seven Hundred Fifty Dollars (\$750.00)".

And the amendment was adopted.

Yeas 92; Nays 0.

#### Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Money
Adams	Edwards (Jefferson)	Kelly	Nettles
Albea	Faulk	Kendall	Nice
Ashworth	Ferrell	Killough	Nolen
Bassett	Franklin	Kirkham	Oakley
Boyd	Gilchrist	Lackey	Oden
Bradford	Gist	Law	Payne
Brannan	Goodwyn	Lee (Barbour)	Perry
Branyon	Gregory	Lee (Lawrence)	Pirkle
Brassell	Grouby	Locke (Choctaw)	Pruitt
Brewer	Hall	Locke (Perry)	Ramey
Brooks	Haltom	Love	Reynolds
Brown (Lamar)	Hanby	McClendon	Richardson
Brown (Lee)	Hardy	McKay	Roberts
Burkhalter	Hare	McLendon	Selman
Cornett	Harrison	McNider	Shumate
Cox	Harvey	Martin	Simon
deGraffenried	Hodges	Mathison	Solomon
Dement	Holliman	Meeks	Speaks
DeSear	Hunt	Merrill	Steagall
Dickson	Jenkins	Molette	Stembridge

Stokes  
Summerlin

Thomas  
Tyson

Vacca  
Ward

Windle  
Wood

--92

And said bill, H. 1018, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Faulk	Kirkham	Payne
Adams	Ferrell	Lackey	Perry
Albea	Franklin	Law	Pirkle
Ashworth	Gilchrist	Lee (Barbour)	Pruitt
Bassett	Gist	Lee (Lawrence)	Ramey
Boyd	Goodwyn	Locke (Choctaw)	Reynolds
Bradford	Gregory	Locke (Perry)	Richardson
Brannan	Grouby	Love	Roberts
Branyon	Hall	McClendon	Selman
Brassell	Haltom	McKay	Shumate
Brewer	Hanby	McLendon	Simon
Brooks	Hardy	McNider	Solomon
Brown (Lamar)	Hare	Martin	Speaks
Brown (Lee)	Harrison	Mathison	Steagall
Burkhalter	Harvey	Meeks	Stembridge
Cornett	Hodges	Merrill	Stokes
Cox	Holliman	Mollette	Summerlin
deGraffenried	Hunt	Money	Thomas
Dement	Jenkins	Nettles	Tyson
DeSear	Johnson (Elmore)	Nice	Vacca
Dickson	Kelly	Nolen	Ward
Edwards (Escambia)	Kendall	Oakley	Windle
Edwards (Jefferson)	Killough	Oden	Wood

—92

And the bill:

H. 1017. To amend Act No. 436, H. 938, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the county superintendent of education of Morgan County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Burkhalter	Goodwyn	Johnson (Elmore)
Adams	Cornett	Gregory	Kelly
Albea	Cox	Grouby	Kendall
Ashworth	deGraffenried	Hall	Killough
Bassett	Dement	Haltom	Kirkham
Boyd	DeSear	Hanby	Lackey
Bradford	Dickson	Hardy	Law
Brannan	Edwards (Escambia)	Hare	Lee (Barbour)
Branyon	Edwards (Jefferson)	Harrison	Lee (Lawrence)
Brassell	Faulk	Harvey	Locke (Choctaw)
Brewer	Ferrell	Hodges	Locke (Perry)
Brooks	Franklin	Holliman	Love
Brown (Lamar)	Gilchrist	Hunt	McClendon
Brown (Lee)	Gist	Jenkins	McKay



McLendon	Nice	Reynolds	Stembridge
McNider	Nolen	Richardson	Stokes
Martin	Oakley	Roberts	Summerlin
Mathison	Oden	Selman	Thomas
Meeks	Payne	Shumate	Tyson
Merrill	Perry	Simon	Vacca
Molette	Pirkle	Solomon	Ward
Money	Pruitt	Speaks	Windle
Nettles	Ramey	Steagall	Wood

—92

And the bill:

H. 1016. To amend Section 1 of Act No. 68, H. 263, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 51), which provided for the appointment of a deputy register for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy register.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

#### Yeas:

Mr. Speaker	Faulk	Kirkham	Payne
Adams	Ferrell	Lackey	Perry
Albea	Franklin	Law	Pirkle
Ashworth	Gilchrist	Lee (Barbour)	Pruitt
Bassett	Gist	Lee (Lawrence)	Ramey
Boyd	Goodwyn	Locke (Choctaw)	Reynolds
Bradford	Gregory	Locke (Perry)	Richardson
Brannan	Grouby	Love	Roberts
Branyon	Hall	McClendon	Selman
Brassell	Haltom	McKay	Shumate
Brewer	Hanby	McLendon	Simon
Brooks	Hardy	McNider	Solomon
Brown (Lamar)	Hare	Martin	Speaks
Brown (Lee)	Harrison	Mathison	Steagall
Burkhalter	Harvey	Meeks	Stembridge
Cornett	Hodges	Merrill	Stokes
Cox	Holliman	Molette	Summerlin
deGraffenried	Hunt	Money	Thomas
Dement	Jenkins	Nettles	Tyson
DeSear	Johnson (Elmore)	Nice	Vacca
Dickson	Kelly	Nolen	Ward
Edwards (Escambia)	Kendall	Oakley	Windle
Edwards (Jefferson)	Killough	Oden	

—92

And the bill:

H. 1014. To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

Was taken up.

Messrs. Brewer and Gilchrist offered the following amendment to the bill, H. 1014:

## AMENDMENT TO HOUSE BILL NO. 1014

Amend Section 1 of said Bill by striking the words and figures "Five Thousand Two Hundred Dollars (\$5,200.00)" wherever the same appear and inserting in lieu thereof the words and figures "Five Thousand Four Hundred Dollars (\$5,400.00)".

And the amendment was adopted.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Faulk	Kirkham	Payne
Adams	Ferrell	Lackey	Perry
Albea	Franklin	Law	Pirkle
Ashworth	Gilchrist	Lee (Barbour)	Pruitt
Bassett	Gist	Lee (Lawrence)	Ramey
Boyd	Goodwyn	Locke (Choctaw)	Reynolds
Bradford	Gregory	Locke (Perry)	Richardson
Brannan	Grouby	Love	Roberts
Branyon	Hall	McClendon	Selman
Brassell	Haltom	McKay	Shumate
Brewer	Hanby	McLendon	Simon
Brooks	Hardy	McNider	Solomon
Brown (Lamar)	Hare	Martin	Speaks
Brown (Lee)	Harrison	Mathison	Steagall
Burkhalter	Harvey	Meeks	Stembridge
Cornett	Hodges	Merrill	Stokes
Cox	Holliman	Molette	Summerlin
deGraffenried	Hunt	Money	Thomas
Dement	Jenkins	Nettles	Tyson
DeSear	Johnson (Elmore)	Nice	Vacca
Dickson	Kelly	Nolen	Ward
Edwards (Escambia)	Kendall	Oakley	Windle
Edwards (Jefferson)	Killough	Oden	Wood

—92

And said bill, H. 1014, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	deGraffenried	Hardy	Locke (Choctaw)
Adams	Dement	Hare	Locke (Perry)
Albea	DeSear	Harrison	Love
Ashworth	Dickson	Harvey	McClendon
Bassett	Edwards (Escambia)	Hodges	McKay
Boyd	Edwards (Jefferson)	Holliman	McLendon
Bradford	Faulk	Hunt	McNider
Brannan	Ferrell	Jenkins	Martin
Branyon	Franklin	Johnson (Elmore)	Mathison
Brassell	Gilchrist	Kelly	Meeks
Brewer	Gist	Kendall	Merrill
Brooks	Goodwyn	Killough	Molette
Brown (Lamar)	Gregory	Kirkham	Money
Brown (Lee)	Grouby	Lackey	Nettles
Burkhalter	Hall	Law	Nice
Cornett	Haltom	Lee (Barbour)	Nolen
Cox	Hanby	Lee (Lawrence)	Oakley

Oden	Reynolds	Solomon	Thomas
Payne	Richardson	Speaks	Tyson
<del>Perry</del>	<del>Roberts</del>	<del>Steagall</del>	<del>Vacca</del>
Pirkle	Selman	Stembridge	Ward
Pruitt	Shumate	Stokes	Windle
Ramey	Simon	Summerlin	Wood

—92

And the bill:

H. 1022. To amend Section 1 of Act No. 424, H. 868, approved August 27, 1953 (Acts of Alabama, 1953, p. 525), which authorized the Board of Revenue and Control of Morgan County, Alabama, to provide the sheriff of the county with deputies and jailers and to fix their compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Faulk	Kirkham	Payne
Adams	Ferrell	Lackey	Perry
Albea	Franklin	Law	Pirkle
Ashworth	Gilchrist	Lee (Barbour)	Pruitt
Bassett	Gist	Lee (Lawrence)	Ramey
Boyd	Goodwyn	Locke (Choctaw)	Reynolds
Bradford	Gregory	Locke (Perry)	Richardson
Brannan	Grouby	Love	Roberts
Branyon	Hall	McClendon	Selman
Brassell	Haltom	McKay	Shumate
Brewer	Hanby	McLendon	Simon
Brooks	Hardy	McNider	Solomon
Brown (Lamar)	Hare	Martin	Speaks
Brown (Lee)	Harrison	Mathison	Steagall
Burkhalter	Harvey	Meeks	Stembridge
Cornett	Hodges	Merrill	Stokes
Cox	Holliman	Molette	Summerlin
deGraffenried	Hunt	Money	Thomas
Dement	Jenkins	Nettles	Tyson
DeSear	Johnson (Elmore)	Nice	Vacca
Dickson	Kelly	Nolen	Ward
Edwards (Escambia)	Kendall	Oakley	Windle
Edwards (Jefferson)	Killough	Oden	Wood

—92

And the bill:

H. 1021. To amend Section 1 of Act No. 64, H. 259, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 45), which provided for the appointment of a deputy clerk for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy clerk.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

**Yeas:**

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Branyon	Gregory	Lee (Lawrence)	Pirkle
Brassell	Grouby	Locke (Choctaw)	Pruitt
Brewer	Hall	Locke (Perry)	Ramey
Brooks	Haltom	Love	Reynolds
Brown (Lamar)	Hanby	McClendon	Richardson
Brown (Lee)	Hardy	McKay	Roberts
Burkhalter	Hare	McLendon	Selman
Cornett	Harrison	McNider	Shumate
Cox	Harvey	Martin	Simon
deGraffenried	Hodges	Mathison	Solomon
Dement	Holliman	Meeks	Speaks
DeSear	Hunt	Merrill	Steagall
Dickson	Jenkins	Molette	Stembridge
Edwards (Escambia)	Johnson (Elmore)	Money	Stokes
Edwards (Jefferson)	Kelly	Nettles	Summerlin
Faulk	Kendall	Nice	Thomas
Ferrell	Killough	Nolen	Tyson
Franklin	Kirkham	Oakley	Vacca
Gilchrist	Lackey	Oden	Ward
Gist	Law	Payne	Windle
Goodwyn	Lee (Barbour)	Perry	Wood

—92

And the bill:

H. 1020. Relating to Morgan County; fixing the compensation of the chief deputy of the sheriff of Morgan County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

#### Yeas:

Mr. Speaker	Ferrell	Lackey	Payne
Adams	Franklin	Law	Perry
Albea	Gilchrist	Lee (Barbour)	Pirkle
Ashworth	Gist	Lee (Lawrence)	Pruitt
Basset	Goodwyn	Locke (Choctaw)	Ramey
Boyd	Gregory	Locke (Perry)	Reynolds
Bradford	Grouby	Love	Richardson
Brannan	Hall	McClendon	Roberts
Branyon	Haltom	McKay	Selman
Brassell	Hanby	McLendon	Shumate
Brewer	Hardy	McNider	Simon
Brooks	Hare	Martin	Solomon
Brown (Lamar)	Harrison	Mathews	Speaks
Brown (Lee)	Harvey	Mathison	Steagall
Burkhalter	Hodges	Meeks	Stembridge
Cornett	Holliman	Merrill	Stokes
Cox	Hunt	Molette	Summerlin
deGraffenried	Jenkins	Money	Thomas
Dement	Johnson (Elmore)	Nettles	Tyson
DeSear	Kelly	Nice	Vacca
Dickson	Kendall	Nolen	Ward
Edwards (Escambia)	Killough	Oakley	Windle
Edwards (Jefferson)	Kirkham	Oden	Wood
Faulk			

—93

And the bill:

H. 1023. To amend Section 17 of an Act, approved July 7, 1947, entitled "An Act to amend an act approved September 24, 1919 entitled

'An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation: to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court' as last amended."; and to provide that this Act shall be retroactive.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

**Yeas:**

Mr. Speaker	Ferrell	Lackey	Payne
Adams	Franklin	Law	Perry
Albea	Gilchrist	Lee (Barbour)	Pirkle
Ashworth	Gist	Lee (Lawrence)	Pruitt
Bassett	Goodwyn	Locke (Choctaw)	Ramey
Boyd	Gregory	Locke (Perry)	Reynolds
Bradford	Grouby	Love	Richardson
Brannan	Hall	McClendon	Roberts
Branyon	Haltom	McKay	Selman
Brassell	Hanby	McLendon	Shumate
Brewer	Hardy	McNider	Simon
Brooks	Hare	Martin	Solomon
Brown (Lamar)	Harrison	Mathews	Speaks
Brown (Lee)	Harvey	Mathison	Stegall
Burkhalter	Hodges	Meeks	Stembridge
Cornett	Holliman	Merrill	Stokes
Cox	Hunt	Molette	Summerlin
deGraffenried	Jenkins	Money	Thomas
Dement	Johnson (Elmore)	Nettles	Tyson
DeSear	Kelly	Nice	Vacca
Dickson	Kendall	Nolen	Ward
Edwards (Escambia)	Killough	Oakley	Windle
Edwards (Jefferson)	Kirkham	Oden	Wood
Faulk			

—93

And the bill:

H. 1025. To alter and extend the boundary lines and corporate limits of the City of Cordova in Walker County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

**Yeas:**

Mr. Speaker	Brewer	Dickson	Grouby
Adams	Brooks	Edwards (Escambia)	Hall
Albea	Brown (Lamar)	Edwards (Jefferson)	Haltom
Ashworth	Brown (Lee)	Faulk	Hanby
Bassett	Burkhalter	Ferrell	Hardy
Boyd	Cornett	Franklin	Hare
Bradford	Cox	Gilchrist	Harrison
Brannan	deGraffenried	Gist	Havrey
Branyon	Dement	Goodwyn	Hodges
Brassell	DeSear	Gregory	Holliman

Hunt	McClendon	Nolen	Simon
Jenkins	McKay	Oakley	Solomon
Johnson (Elmore)	McLendon	Oden	Speaks
Kelly	McNider	Payne	Steagall
Kendall	Martin	Perry	Stembridge
Killough	Mathews	Pirkle	Stokes
Kirkham	Mathison	Pruitt	Summerlin
Lackey	Meeks	Ramey	Thomas
Law	Merrill	Reynolds	Tyson
Lee (Barbour)	Molette	Richardson	Vacca
Lee (Lawrence)	Money	Roberts	Ward
Locke (Choctaw)	Nettles	Selman	Windle
Locke (Perry)	Nice	Shumate	Wood
Love			

—93

And the bill:

H. 1032. To alter or rearrange the boundary lines of the Town of Ragland, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

#### Yeas:

Mr. Speaker	Ferrell	Lackey	Payne
Adams	Franklin	Law	Perry
Albea	Gilchrist	Lee (Barbour)	Pirkle
Ashworth	Gist	Lee (Lawrence)	Pruitt
Bassett	Goodwyn	Locke (Choctaw)	Ramey
Boyd	Gregory	Locke (Perry)	Reynolds
Bradford	Grouby	Love	Richardson
Brannan	Hall	McClendon	Roberts
Branyon	Haltom	McKay	Selman
Brassell	Hanby	McLendon	Shumate
Brewer	Hardy	McNider	Simon
Brooks	Hare	Martin	Solomon
Brown (Lamar)	Harrison	Mathews	Speaks
Brown (Lee)	Havrey	Mathison	Steagall
Burkhalter	Hodges	Meeks	Stembridge
Cornett	Holliman	Merrill	Stokes
Cox	Hunt	Molette	Summerlin
deGraffenried	Jenkins	Money	Thomas
Dement	Johnson (Elmore)	Nettles	Tyson
DeSear	Kelly	Nice	Vacca
Dickson	Kendall	Nolen	Ward
Edwards (Escambia)	Killough	Oakley	Windle
Edwards (Jefferson)	Kirkham	Oden	Wood
Faulk			

—93

And the bill:

H. 992. To provide for and require the reidentification of each qualified elector in DeKalb County, Alabama, and to require the Board of Registrars in DeKalb County to take the necessary action to purge the lists of the qualified electors in DeKalb County and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a willfully false statement in connection

with reidentification shall be guilty of perjury; to provide for transfer of certain duties pertaining to preparation of ballots, list of voters, supervision and control of voters lists and expenses of same from the office of the Judge of Probate to the Board of Registrars; to provide for the appointment of a secretary for the board of Registrars, and to fix his compensation, method of appointment and to provide for other employees of the Board of Registrars; to fix the duties of the secretary of the Board of Registrars, and to provide for the payment of the compensation of the secretary of the board of Registrars and other employees of the Board from the general fund of DeKalb County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

#### Yeas:

Mr. Speaker	Ferrell	Lackey	Payne
Adams	Franklin	Law	Perry
Albea	Gilchrist	Lee (Barbour)	Pirkle
Ashworth	Gist	Lee (Lawrence)	Pruitt
Bassett	Goodwyn	Locke (Choctaw)	Ramey
Boyd	Gregory	Locke (Perry)	Reynolds
Bradford	Grouby	Love	Richardson
Brannan	Hall	McClendon	Roberts
Branyon	Haltom	McKay	Selman
Brassell	Hanby	McLendon	Shumate
Brewer	Hardy	McNider	Simon
Brooks	Hare	Martin	Solomon
Brown (Lamar)	Harrison	Mathews	Speaks
Brown (Lee)	Havrey	Mathison	Steagall
Burkhalter	Hodges	Meeks	Stembridge
Cornett	Holliman	Merrill	Stokes
Cox	Hunt	Molette	Summerlin
deGraffenried	Jenkins	Money	Thomas
Dement	Johnson (Elmore)	Nettles	Tyson
DeSear	Kelly	Nice	Vacca
Dickson	Kendall	Nolen	Ward
Edwards (Escambia)	Killough	Oakley	Windle
Edwards (Jefferson)	Kirkham	Oden	Wood
Faulk			

—93

#### REPORT OF INTERIM COMMITTEE

Report of Committee heretofore appointed under and by authority of House Joint Resolution No. 8 of the First Special Session of the Legislature of 1955.

To the House of Representatives and the Senate of Alabama:

The Committee heretofore appointed by the Speaker of the House and the President of the Senate under authority of House Joint Resolution No. 8 of the first Special Session of 1955 begs leave to make the following report:

Under the authority of the above Resolution, the Speaker of the House appointed the following members:

A. K. Callahan, Chairman, Virgis M. Ashworth, Howard L. Bagley, F. L. Ferrell, Karl C. Harrison, and Geo. W. Hodges, Jr.

The President of the Senate appointed the following:

Senator E. W. Skidmore, Senator Reuben Newton, and Senator Roland Cooper.

Prior to the making of this report the Honorable Howard L. Bagley passed away and was replaced on the Committee by the Honorable Jack Huddleston.

The Committee elected the Honorable Virgis Ashworth as Vice Chairman and began its work.

This Committee first met on Friday, the twenty-ninth of April, at the Bryce Hospital in Tuscaloosa, at which time they interviewed a large number of Circuit Court Registers, Directors of County Departments of Public Welfare, Members of the Staff of Bryce Hospital, and other interested persons.

Thereafter the Committee met on many occasions both as regular Committee meetings and as Sub-Committees.

The purpose of this Committee was to study Act No. 777 of the Acts of 1953, which Act is entitled "An Act to Provide for The Support and Maintenance of Mentally Ill Persons Committed to the State Mental Institutions, And Which Act Places the Burden of Support on the Relatives of Such Person."

This Act provides that the State Department of Public Welfare investigate the financial status of the family of each patient committed to the hospital.

After such investigation is made by the State Department of Public Welfare, the findings of the State Department of Public Welfare are transmitted to the Register in Chancery, whose duty it becomes to hold a reference and determine the amount that should be paid toward the support of the patient.

Since the Legislature has been in almost constant session since this Committee was appointed the Committee has not had time to complete its investigation and are of the opinion that the Committee should meet from time to time prior to the next regular meeting of the Legislature for the purpose of keeping in touch with the situation and for the purpose of completing its study.

At the time of the passage of the Act above referred to there were 218 pay patients at Bryce's Hospital, and after the Act had been in force for approximately two years, the number of pay patients had risen to 296, making a gain of approximately 78 during that period of time as a direct result of the passage of the Act.

One of the main reasons that the Act has not been more adequately enforced is that there was no provision for paying the Registers in Chancery for the work they were required to do, and since most of them work on a fee basis, there was no incentive for them to get the work done. However, since the investigation by this Committee has been underway, a large number of them have shown a willingness to cooperate, and in recent weeks a very substantial number of paying patients have been added.

One of the most important recommendations that the Committee makes is that a provision be made, if the Act remains on the Statute Books, for the payment of the Registers for the work they do.

The Committee would like to commend the Department of Public Welfare for the very excellent manner in which it has handled its part of the enforcement of this Act. The Department has made every investi-



gation required of it in an expeditious manner, and has done a conscientious job and performed its duties well.

We further recommend that this Committee be kept in legal existence for the purpose of making further study of this situation, but that said Committee be limited to not more than sixty days spread over the period of time from now until the regular session of this Legislature in 1957.

Respectfully submitted,

A. K. Callahan, Chairman  
Virgis M. Ashworth, Vice Chairman  
F. L. Ferrell  
Karl C. Harrison  
Jack Huddleston  
George W. Hodges, Jr.  
E. W. Skidmore  
Reuben Newton  
Roland Cooper

#### INTERIM COMMITTEE REPORT

Received, read and ordered filed.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 788. To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Resolution, your signature thereto is requested:

S. J. R. 68. Relative to creating a Legislative Interim Committee for the purpose of study of production of the oil and gas resources of this State and provision for development of same by technical personnel.

J. E. SPEIGHT,  
Secretary.

#### SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading

at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

#### REPORT OF COMMITTEE OF CONFERENCE ON H. B. 41

We, your committee of conference appointed to reconcile the disagreement between the two Houses concerning H. B. 41, beg leave to report as follows:

We recommend that the Senate recede from its amendments to the bill, and that the attached substitute be adopted.

W. E. ODEN  
JESSE BROWN  
S. A. THOMAS

Conferees on the part of the  
House

RICHMOND M. FLOWERS  
NEIL METCALF

ALBERT BOUTWELL

Conferees on the part of the  
Senate

#### SUBSTITUTE FOR H. B. 41

#### A BILL TO BE ENTITLED AN ACT

Providing further for state planning and industrial development; abolishing the State Planning Board as now constituted, and creating in lieu thereof the State Planning and Industrial Development Board; providing for the selection of the members of the Board, and prescribing their powers, duties, terms, qualifications, and compensation; vesting the authority, functions, funds, effects, and personnel of the State Planning Board in the State Planning and Industrial Development Board; prescribing the authority and functions of the State Planning and Industrial Development Board; and providing for the appointment of a director of the Board, and prescribing his powers, duties, term, qualifications, and compensation.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The State Planning Board created by Act No. 183, H. 62, approved June 18, 1943 (General Acts of Alabama, 1943, page 163), as now constituted, is abolished, and there is created and established the State Planning and Industrial Development Board in lieu thereof. The State Planning and Industrial Development Board shall consist of one member appointed by the Governor for each congressional district in the State; and the Governor, as chairman of the Board, the Commissioner of Agriculture and Industries, the Commissioner of Revenue, the State Highway Director, and the Director of State Docks, as members by virtue of their offices. When appointing members of the Board, the Governor shall select citizens who are outstanding in the fields of manufacture and processing, business and commercial enterprise, engineering and industrial development, natural resources, electric and gas utilities, industrial real estate and industrial property management, banking and finance, labor relations, and mass communications.

Before entering upon the discharge of their duties, the appointive members of the State Planning and Industrial Development Board shall take the oath of office prescribed for other state officers. The appointive

~~members of the Board shall hold office only during the tenure of the~~  
Governor making the appointment, and until their successors are appointed and qualified. The Governor may remove any appointive member of the Board who fails to attend its meetings regularly or to perform properly his duties as a member of the Board, by notifying the member in writing of his removal. The appointive members of the Board shall be paid ten dollars (\$10) per day for each day they are engaged in the performance of their duties, and each such member shall be paid the actual and necessary expenses incurred in the performance of his duties as a member of the Board when approved by the chairman; provided, however, that except upon the call of the Governor, members of the Board shall not be in session more than fifty days during any calendar year. Ex officio members of the Board shall receive no additional compensation for their services as members of the Board. The Board may have an appropriate seal with such words and emblem as it may prescribe. A majority of the Board shall constitute a quorum for the transaction of business. The secretary shall notify each member in writing of all meetings of the Board in such manner and under such rules and regulations as the Board may prescribe. The Board shall adopt rules and regulations for the transaction of its business; and the secretary shall keep a record of all its proceedings, and upon request, furnish a copy thereof to each member of the Board. No person holding a public office or public employment shall be eligible for appointment as a member of the Board.

Section 2. The Governor shall appoint a member to serve as vice-chairman of the Board. The Governor shall appoint a director, who shall be qualified by training and experience for the duties required of him. His term of office shall be at the pleasure of the Governor, and his compensation shall be fixed by the Board in an amount not to exceed ten thousand dollars (\$10,000) per annum. The director shall devote his entire time to his duties as director, and shall not, in a private capacity, perform any work or duties for, or accept any gifts or compensation from any county, city, or other governmental unit, or from any person, firm, or corporation, for services rendered while he is serving as director of the Board. Neither the Board nor the director shall employ any member of the Board in any capacity. The director shall serve as secretary of the Board and shall be custodian of its books, records, and papers, which he shall keep at the office of the Board, and he shall perform any and all functions and duties, and exercise any and all powers and authorities, that may be delegated to him by the Board. The director shall establish a division of local planning and such other divisions or units as may be necessary or convenient to the efficient and expeditious performance of the functions and duties of the Board. The division of local planning above referred to may enter into contractual arrangements with Alabama municipalities providing for technical planning services to assist each municipality in making and adopting a comprehensive municipal plan including such elements as a zoning plan and ordinance, subdivision regulations, a major street plan, a park and playground plan, an urban redevelopment plan and such related plans and studies as are necessary for a comprehensive municipal plan. The division of local planning is further empowered to enter into contracts with Federal agencies for the purpose of assisting Alabama municipalities to prepare comprehensive municipal plans. The division of local planning is also empowered to accept and expend money, grants-in-aid made available from any source, and to supplement Federal or local funds available for making local planning studies designed to produce a comprehensive municipal plan. The division of local planning is further empowered to enter into contracts with regional planning commissions in Alabama for the purpose of making a comprehensive plan for the region. The director may assign and re-

assign functions and duties. All functions and duties of the Board shall be exercised by the director acting by and through such administrative divisions or units as he may determine, and he shall have all power and authority necessary or convenient to carry out the functions and duties of the Board, and the orders, rules, and regulations of the Board, subject, however, to the jurisdiction and direction of the Board. The appointment of chiefs of divisions and all other employees and personnel of the Board shall be made by the director subject to the provisions of the Merit System Act. The Board shall be provided with the necessary office space in the city of Montgomery or such other place as its needs may require.

Section 3. (a) The authority of the state planning board agency created by Act No. 183, H. 62, approved June 18, 1943 (General Acts of Alabama, 1943, page 163) to carry on a planning program including the preparation of a State master plan, as well as the authority to provide an assistance program to counties and municipalities in the preparation of comprehensive physical plans for such counties and towns, is hereby confirmed and continued. There are hereby vested in the State Planning and Industrial Development Board all the functions, powers, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the State Planning Board and of the director thereof; and the functions of the State Planning Board and of the director thereof shall be exercised hereafter by the State Planning and Industrial Development Board and the director provided for in this Act.

(b) The authority of the State Bureau of Publicity and Information created by Act No. 712, Acts of Alabama, Regular Session, 1951, page 1250, to plan and conduct all state programs of information and publicity designed to attract tourists to the State of Alabama is hereby confirmed and continued. It is provided, however, that the director of the State Bureau of Publicity and Information shall cooperate to the fullest possible extent with the State Planning and Industrial Development Board toward the end that an integrated program of economic expansion and promotion may be pursued by the public agencies of this State.

(c) It is the purpose of this Act to impose responsibility for the administration of a comprehensive program of State planning and industrial development upon the State Planning and Industrial Development Board; and, to that end, the State Planning and Industrial Development Board, in addition to the foregoing powers, shall have the following authority:

- 1) To investigate and ascertain the industrial possibilities of the State and to seek to secure the development of the same.

- 2) To collect statistics in regard to industrial development in the State.

- 3) To make investigations as to any matter relative to industrial development and possibilities.

- 4) To cooperate in the fostering and development of the industrial interests of the State.

- 5) To cooperate especially in the promotion, establishment, and location of industries in the smaller municipalities and rural communities of the State which use as a raw material farm products of any character.

- 6) To cooperate with the state chamber of commerce, local chambers of commerce, and all local industrial boards to promote the purposes of this Act.

~~7) To aid, encourage, protect and promote existing industries and commercial enterprises of the State by any means deemed appropriate by the board.~~

8) To give technical research and advisory aids to existing industry and commerce in the State.

9) To advertise nationally the State industrial and commercial advantages.

10) To advocate advantages of location within the State to industrial and commercial prospects through personal contacts by travelling representatives, by furnishing specially prepared studies, by correspondence, printed material and other appropriate means.

11) To maintain a staff of experienced personnel capable of providing prompt informed cooperation to industry and commercial enterprises.

12) To provide industrial and commercial prospects with up-to-date factual reports on available plant sites, buildings, warehouse and distribution locations and existing structures, labor, water, gas and electric power, taxes, wages and salaries and other basis locational data.

13) To conduct industrial and commercial prospects on field inspections of potential plant or commercial locations.

14) To assist cities, towns, counties, areas and regions in the survey and analysis of their industrial resources and needs.

15) To counsel on new or additional industrial plant or commercial building construction.

16) To co-ordinate and present effectively the interest, resources and advantages of every community in the State capable of meeting operational requirements of industrial and commercial prospects.

17) To bring the State's industrial and commercial opportunities to the attention of investors and other entrepreneurs both within and without the State and to foster increase of employment opportunities within the State.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Oden, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 41, said report being set out in the above and foregoing Report of the Committee of Conference.

Yeas 86; Nays 1.

#### Yeas:

Mr. Speaker  
Adams

Albea  
Ashworth

Boyd  
Bradford

Brannan  
Branyon

Brassell	Gregory	Love	Ramey
Brewer	Grouby	McClendon	Richardson
Broadfoot	Hain	McKay	Roberts
Brooks	Hall	McLendon	Selman
Brown (Lamar)	Haltom	McNider	Shumate
Brown (Lee)	Hanby	Martin	Simon
Burkhalter	Hardy	Mathews	Solomon
Callahan	Harrison	Mathison	Speaks
Cornett	Hodges	Meeks	Steagall
Cox	Holliman	Merrill	Stembridge
deGraffenried	Huddleston	Molette	Stokes
Dement	Hunt	Money	Summerlin
DeSear	Jenkins	Nettles	Taylor
Dickson	Johnson (Elmore)	Nice	Thomas
Edwards (Escambia)	Kaul	Nolen	Tyson
Faulk	Kendall	Oden	Vacca
Ferrell	Killough	Payne	Ward
Franklin	Lackey	Pirkle	Windle
Gilchrist	Lee (Barbour)	Pruitt	Wood
Gist	Locke (Choctaw)		

—86

Nays: Mr. Perry.

—1

And said bill:

H. 41. Relating to the industrial development of the State of Alabama; to create a Department of Industrial Development, provide for the appointment of the Director thereof and fix his compensation; define the powers and duties of said Department and Director, authorize the creation of divisions within said Department and the appointment of the personnel thereof; provide for an Industrial Development Board and for the appointment, terms and compensation of its members, prescribe its powers, duties and authority; transfer certain powers, authority, duties, functions, books, and records from the State Planning Board to the Department of Industrial Development; transfer the functions, power, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the Department of Publicity and Information, and of the director thereof, to the Department of Industrial Development, and abolish the Department of Publicity and Information.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 86; Nays 0.

**Yeas:**

Mr. Speaker	Cox	Hall	Lee (Barbour)
Adams	Dawkins	Haltom	Lee (Lawrence)
Albea	deGraffenried	Hanby	Locke (Choctaw)
Boyd	Dement	Hardy	Locke (Perry)
Bradford	DeSear	Harrison	Love
Brannan	Dickson	Hodges	McClendon
Branyon	Edwards (Escambia)	Holliman	McKay
Brassell	Faulk	Huddleston	McLendon
Brewer	Ferrell	Hunt	McNider
Broadfoot	Franklin	Jenkins	Martin
Brooks	Gilchrist	Johnson (Elmore)	Mathews
Brown (Lamar)	Gist	Kaul	Mathison
Burkhalter	Gregory	Kendall	Meeks
Callahan	Grouby	Killough	Merrill
Cornett	Hain	Lackey	Molette

<del>Money</del>	<del>Dinkle</del>	<del>Simon</del>	<del>Thomas</del>
Nettles	Pruitt	Solomon	Tyson
Nice	Ramey	Speaks	Vacca
Nolen	Richardson	Steagall	Ward
Oden	Roberts	Stembridge	Windle
Payne	Selman	Taylor	Wood
Perry	Shumate		

—86

## MESSAGE FROM THE GOVERNOR

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 864, without his approval.

Respectfully submitted,

O. H. FINNEY, JR.,  
Executive Secretary.

August 26, 1955

To the House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 864, without my approval.

This bill is being returned at the request of the authors of the bill since an identical bill (Senate Bill No. 319) has already been approved.

Respectfully,

JAMES E. FOLSOM,  
Governor.

## GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. 864. To define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of at least 125,000 nor more than 225,000, to create a barber's Commission for said counties and define the powers and duties of said barber's Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions hereof.

The question was upon the passage of the bill, H. 864, the Governor's veto to the contrary notwithstanding.

And the bill, H. 864, was again read at length, and the House refused to pass said bill over the veto of the Governor.

Yeas 1; Nays 82.

Yeas: Mr. Hain.

—1

Nays:

Mr. Speaker	Albea	Bradford	Branyon
Adams	Boyd	Brannan	Brassell

Brewer	Gist	Locke (Perry)	Payne
Broadfoot	Gregory	Love	Perry
Brooks	Grouby	McClendon	Pirkle
Brown (Lamar)	Hall	McKay	Pruitt
Burkhalter	Haltom	McLendon	Ramey
Callahan	Hanby	McNider	Richardson
Cornett	Hodges	Martin	Roberts
Cox	Holliman	Mathews	Selman
Dawkins	Huddleston	Mathison	Speaks
deGraffenried	Hunt	Meeks	Steagall
Dement	Jenkins	Merrill	Stembridge
DeSear	Johnson (Elmore)	Molette	Summerlin
Dickson	Kendall	Money	Taylor
Edwards (Escambia)	Killough	Nettles	Thomas
Edwards (Jefferson)	Kirkham	Nice	Tyson
Faulk	Lackey	Nolen	Vacca
Ferrell	Lee (Barbour)	Oakley	Windle
Franklin	Lee (Lawrence)	Oden	Wood
Gilchrist	Locke (Choctaw)		

—82

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 74. Relative to appointment of an electrical roll call operator and an additional Assistant Clerk.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate bill:

S. B. 21. To make an appropriation for the support and maintenance of Walker County Junior College.

J. E. SPEIGHT,  
Secretary.

## RESOLUTION

The following resolution was introduced:

By Mr. Ashworth:

H. J. R. 75. WHEREAS, a Committee was appointed under the Authority of House Joint Resolution No. 8 of the first Special Session of 1955, to investigate certain matters relative to the Relative Responsibility Law as it affects patients at the Alabama Insane Hospital, and WHEREAS in its report said Committee made known to this body that it needed some additional time to complete its investigation and to study this matter from time to time during the next two years.

THEREFORE BE IT RESOLVED BY THE HOUSE WITH THE SENATE CONCURRING that said Committee heretofore authorized under House Joint Resolution No. 8 of the First Special Session of 1955 is hereby continued in existence with the authority to meet not more than sixty days and make a full and complete report to the Legislature at its regular session in 1957.



~~On motion of Mr. Ashworth the rules were suspended and H. J. R.~~  
75 was adopted.

BILLS ON THIRD READING RESUMED  
MOTION ADOPTED

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 815, was adopted.

And the bill:

H. 815. To provide for the appointment by the Governor of a press secretary, and to fix his compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 16.

**Yeas:**

Mr. Speaker	Dement	Hunt	Oden
Adams	Edwards (Escambia)	Jenkins	Payne
Albea	Edwards (Jefferson)	Kelly	Pirkle
Ashworth	Ferrell	Locke (Choctaw)	Ramey
Bradford	Franklin	McClendon	Reynolds
Branyon	Gist	McKay	Selman
Brassell	Gregory	McLendon	Shumate
Brewer	Grouby	McNider	Simon
Broadfoot	Hall	Martin	Steagall
Brown (Lamar)	Haltom	Mathews	Stembridge
Burkhalter	Hanby	Mathison	Stokes
Callahan	Hare	Merrill	Taylor
Cox	Harrison	Molette	Thomas
Dawkins	Hodges	Money	Tyson
deGraffenried	Huddleston	Nolen	Wood

—60

**Nays:**

Messrs.	Dickson	Killough	Oakley
Boyd	Faulk	Kirkham	Perry
Brannan	Holliman	Lee (Barbour)	Richardson
Brooks	Kaul	Nettles	Windle
Brown (Lee)			

—16

MOTION ADOPTED

The motion of Mr. Harrison to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 806, was adopted.

And the bill:

H. 806 (with amendment). To amend further Section 380 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of clerks of juvenile courts in certain counties.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

## AMENDMENT OF H. B. 806

Strike out Section 1 of the bill and insert in lieu thereof the following:

Section 1. Section 380 of Title 13, Code of Alabama (1940), as amended, is amended further to read as follows:

"The judge of the juvenile court may appoint as clerk of the court any probation officer or a clerk of the probate court. The judge may also appoint as deputy clerk of the court any other probation officer or clerk of the probate court. In counties having a population of not less than 18,675 nor more than 19,150, according to the most recent federal census, such clerks and deputies shall be entitled to receive six hundred dollars per annum, to be paid in equal monthly installments out of the general fund of the county. In all other counties the court of county commissioners, board of revenue, or like county governing body is authorized but not required to provide compensation for such clerk and deputy for their services to the juvenile court out of the general fund of the county, in such amount as such court or board may direct."

On motion of Mr. Harrison the amendment reported by the Standing Committee on Judiciary was laid upon the table.

Mr. Harrison offered the following substitute for the bill, H. 806:

## SUBSTITUTE FOR H. B. 806

A BILL  
TO BE ENTITLED  
AN ACT

To amend further Section 380 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of clerks of juvenile courts in certain counties.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 380 of Title 13, Code of Alabama (1940), as amended, is amended further to read as follows:

"The judge of the juvenile court may appoint as clerk of the court any probation officer or a clerk for the probate court. The judge may also appoint as deputy clerk of the court any other probation officer or clerk of the probate court. Such clerk and deputy shall receive no additional remuneration for their services to the juvenile court; provided, that in all counties having a population of not less than 18,675 nor more than 19,150 inhabitants, according to the most recent federal census, such clerk and deputy shall be entitled to receive a salary of six hundred dollars per annum, to be paid out of the general fund of the county in equal monthly installments; and provided further, in all counties having a population of not less than 29,400 nor more than 30,650, according to the last or any subsequent federal decennial census, such clerk or deputy may receive such additional compensation for services in the juvenile court as the court of county commissioners, board of revenue, or like county governing body may provide."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 91; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kelly	Oden
Adams	Edwards (Jefferson)	Killough	Payne
Albea	Faulk	Kirkham	Perry
Ashworth	Ferrell	Lackey	Pirkle
Boyd	Franklin	Lee (Barbour)	Pruitt
Bradford	Gilchrist	Lee (Lawrence)	Ramey
Brannan	Gist	Locke (Choctaw)	Reynolds
Branyon	Gregory	Locke (Perry)	Richardson
Brassell	Grouby	Love	Roberts
Brewer	Hain	McClendon	Selman
Broadfoot	Hall	McKay	Shumate
Brooks	Haltom	McLendon	Simon
Brown (Lamar)	Hanby	McNider	Solomon
Brown (Lee)	Hardy	Martin	Speaks
Burkhalter	Hare	Mathews	Steagall
Callahan	Harrison	Meeks	Stembridge
Cornett	Havrey	Merrill	Stokes
Cox	Hodges	Molette	Taylor
Dawkins	Holliman	Money	Thomas
deGraffenried	Huddleston	Nettles	Vacca
Dement	Hunt	Nice	Windle
DeSear	Jenkins	Nolen	Wood
Dickson	Johnson (Elmore)	Oakley	

—91

And said bill, H. 806, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kelly	Oakley
Adams	Edwards (Jefferson)	Killough	Oden
Albea	Faulk	Kirkham	Payne
Ashworth	Ferrell	Lackey	Perry
Boyd	Franklin	Lee (Barbour)	Pirkle
Bradford	Gilchrist	Lee (Lawrence)	Pruitt
Brannan	Gist	Locke (Choctaw)	Ramey
Branyon	Gregory	Locke (Perry)	Reynolds
Brassell	Grouby	Love	Roberts
Brewer	Hain	McClendon	Selman
Broadfoot	Hall	McKay	Shumate
Brooks	Haltom	McLendon	Simon
Brown (Lamar)	Hanby	McNider	Solomon
Brown (Lee)	Hardy	Martin	Speaks
Burkhalter	Hare	Mathews	Steagall
Callahan	Harrison	Meeks	Stembridge
Cornett	Havrey	Merrill	Stokes
Cox	Hodges	Molette	Taylor
Dawkins	Holliman	Money	Thomas
deGraffenried	Huddleston	Nettles	Vacca
Dement	Hunt	Nice	Windle
DeSear	Jenkins	Nolen	Wood
Dickson	Johnson (Elmore)		

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## RESOLUTION

The following resolution was introduced:

By Mr. Dawkins:

H. J. R. 76. Whereas the city of Montgomery is the third largest city in the State, and serves an extensive trade area in central and south Alabama, and

Whereas there is no state vocational trade school located either in Montgomery or in the surrounding area, and

Whereas the central location of Montgomery would make any state vocational trade school established in that city conveniently accessible to the people of a large area of the State not now served by such a school; now therefore

Be it resolved by the House of Representatives, the Senate concurring: That the State Board of Education is requested to give the greatest possible consideration to the desirability and feasibility of locating and establishing in the city of Montgomery one of the additional state vocational trade schools provided for by an act of the 1955 regular session of the Legislature.

On motion of Mr. Dawkins the rules were suspended and H. J. R. 76 was adopted.

## BILLS ON THIRD READING RESUMED

H. 461. To provide for the accurate weighing of agricultural products by the State Department of Agriculture and Industries by authorizing the Commissioner of Agriculture and Industries to designate certain employees or agents of such department and others to perform work as weighmasters and to issue weight certificates upon being appointed as weighmasters; and to authorize the collection of fees and charges for weighing services furnished under the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

## Yeas:

Mr. Speaker	deGraffenried	Harrison	McNider
Adams	Dement	Havrey	Martin
Albea	DeSear	Hodges	Mathews
Ashworth	Dickson	Holliman	Merrill
Boyd	Edwards (Escambia)	Hunt	Molette
Bradford	Edwards (Jefferson)	Jenkins	Money
Brannan	Faulk	Johnson (Elmore)	Nettles
Branyon	Ferrell	Kaul	Nice
Brassell	Franklin	Kelly	Nolen
Brewer	Gist	Killough	Oakley
Broadfoot	Gregory	Kirkham	Payne
Brooks	Grouby	Lackey	Perry
Brown (Lamar)	Hain	Lee (Lawrence)	Pirkle
Brown (Lee)	Hall	Locke (Choctaw)	Pruitt
Burkhalter	Haltom	Love	Ramey
Cornett	Hanby	McClendon	Reynolds
Cox	Hardy	McKay	Roberts
Dawkins	Hare	McLendon	Selman

Shumate	Stembridge	Taylor	Windle
Solomon	Stokes	Thomas	Wood
Steagall	Summerlin	Vacca	

—83

And the bill:

S. 316 (with substitute). To make an appropriation for the promotion and advertisement of Alabama through sponsorship of the Blue and Gray Football Game.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

# WAYS AND MEANS COMMITTEE SUBSTITUTE FOR S. B. 316

## A BILL TO BE ENTITLED AN ACT

To make an appropriation for the promotion and advertisement of Alabama through sponsorship of the Blue and Gray Football Game.

### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Legislature finds that the Blue and Gray Game played each year in the City of Montgomery advertises the State throughout the country, creates good will between the citizens of this State and the citizens of other States, and promotes the interests and welfare of the people of the whole State; therefore, the sum of thirteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated from any funds in the state treasury not otherwise appropriated for each year of the following biennium; thirteen thousand dollars for the fiscal year 1955-1956, and thirteen thousand dollars for the fiscal year 1956-1957, for the purpose of promoting and advertising Alabama through sponsorship of the Blue and Gray Football Game played in December in the City of Montgomery. The funds hereby appropriated shall be paid out of the Treasury upon the requisition or order of the Blue and Gray Committee or the Montgomery Lions Club, when approved by the Governor. The appropriation herein made is conditioned upon the condition of the treasury and the approval of the Governor.

Section 2. This Act shall become effective October 1, 1955.

And the substitute was adopted.

Yeas 83; Nays 5.

### Yeas:

Mr. Speaker	Brooks	Dickson	Hain
Adams	Brown (Lamar)	Edwards (Escambia)	Hall
Albea	Brown (Lee)	Edwards (Jefferson)	Haltom
Ashworth	Burkhalter	Faulk	Hanby
Boyd	Callahan	Ferrell	Hardy
Brannan	Cornett	Franklin	Hare
Branyon	Cox	Gilchrist	Harrison
Brassell	Dawkins	Gist	Havrey
Brewer	deGraffenried	Goodwyn	Hodges
Broadfoot	Dement	Gregory	Huddleston

Hunt	Locke (Perry)	Nolen	Simon
Jenkins	McKay	Oden	Speaks
Johnson (Elmore)	McLendon	Payne	Steagall
Kelly	McNider	Pirkle	Stembridge
Killough	Martin	Pruitt	Taylor
Kirkham	Mathews	Ramey	Thomas
Lackey	Mathison	Reynolds	Tyson
Law	Merrill	Richardson	Vacca
Lee (Barbour)	Molette	Roberts	Windle
Lee (Lawrence)	Nettles	Selman	Wood
Locke (Choctaw)	Nice	Shumate	

—83

**Nays:**

Messrs.	Love	Stokes	Summerlin
Bradford	Oakley		

—5

And said bill, S. 316, as thus amended, was read a third time at length and passed.

Yeas 83; Nays 9.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kelly	Oden
Adams	Edwards (Jefferson)	Kendall	Payne
Albea	Faulk	Killough	Pirkle
Ashworth	Ferrell	Kirkham	Pruitt
Boyd	Franklin	Lackey	Ramey
Brannan	Gilchrist	Lee (Barbour)	Reynolds
Branyon	Goodwyn	Lee (Lawrence)	Richardson
Brassell	Gregory	Locke (Choctaw)	Selman
Brewer	Hain	Locke (Perry)	Shumate
Broadfoot	Hall	McClendon	Simon
Brooks	Haltom	McKay	Speaks
Brown (Lamar)	Hanby	McLendon	Steagall
Brown (Lee)	Hardy	McNider	Stembridge
Burkhalter	Hare	Martin	Stokes
Cornett	Harrison	Mathews	Taylor
Cox	Havrey	Mathison	Thomas
Dawkins	Hodges	Merrill	Tyson
deGraffenried	Huddleston	Molette	Vacca
Dement	Hunt	Nettles	Windle
DeSear	Jenkins	Nice	Wood
Dickson	Johnson (Elmore)	Nolen	

—83

**Nays:**

Messrs.	Grouby	Mcney	Roberts
Bradford	Holliman	Oakley	Summerlin
Callahan	Love		

—9

**MOTION ADOPTED**

The motion of Mr. McNider to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 266, was adopted.

And the bill:

S. 266. To amend further Section 7 of Title 60, Code of Alabama (1940), which relates to the widows of Confederate veterans who are ~~entitled to pensions.~~

Was read a third time at length and passed.

Yeas 93; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Kelly	Payne
Adams	Faulk	Kendall	Perry
Albea	Ferrell	Killough	Pirkle
Ashworth	Franklin	Kirkham	Pruitt
Boyd	Gilchrist	Lackey	Ramey
Bradford	Gist	Lee (Barbour)	Reynolds
Brannan	Goodwyn	Lee (Lawrence)	Richardson
Branyon	Gregory	Locke (Choctaw)	Roberts
Brassell	Grouby	Locke (Perry)	Selman
Brewer	Hain	Love	Shumate
Broadfoot	Hall	McClendon	Simon
Brooks	Halton	McKay	Solomon
Brown (Lamar)	Hanby	McNider	Speaks
Brown (Lee)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Havrey	Meeks	Summerlin
Cox	Hodges	Merrill	Taylor
Dawkins	Holliman	Molette	Thomas
deGraffenried	Huddleston	Money	Tyson
Dement	Hunt	Nettles	Vacca
DeSear	Jenkins	Oakley	Windle
Dickson	Johnson (Elmore)	Oden	Wood
Edwards (Escambia)			

—93

And the bill:

H. 96. To authorize and direct the State Board of Agriculture and Industries to acquire, equip, operate and maintain as a state market a poultry processing plant in Walker County, Alabama, and to appropriate public funds for such purpose.

Was read a third time at length and lost.

Yeas 30; Nays 63.

**Yeas:**

Mr. Speaker	Dement	Kelly	Oden
Bradford	Gist	Kendall	Reynolds
Brassell	Goodwyn	Law	Selman
Broadfoot	Gregory	Lee (Lawrence)	Shumate
Brown (Lamar)	Grouby	Martin	Simon
Callahan	Halton	Money	Speaks
Cox	Harrison	Nolen	Tyson
deGraffenried	Huddleston		

—30

**Nays:**

Messrs.	Boyd	Brown (Lee)	Dickson
Adams	Brannan	Burkhalter	Edwards (Escambia)
Albea	Brewer	Cornett	Edwards (Jefferson)
Ashworth	Brooks	DeSear	Faulk

Ferrell	Kaul	Mathison	Richardson
Franklin	Killough	Meeks	Roberts
Gilchrist	Kirkham	Merrill	Solomon
Hall	Lackey	Mclettle	Steagall
Hanby	Lee (Barbour)	Nettles	Stembridge
Hardy	Locke (Choctaw)	Nice	Stokes
Hare	Locke (Perry)	Oakley	Summerlin
Havrey	Love	Payne	Taylor
Hodges	McClendon	Perry	Thomas
Holliman	McKay	Pirkle	Vacca
Hunt	McLendon	Pruitt	Windle
Jenkins	McNider	Ramey	Wood

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## PAIR ANNOUNCED

Mr. Branyon announced that he was paired with Mr. Johnson (Tallapoosa). If Mr. Johnson (Tallapoosa) were present he would vote "nay" and Mr. Branyon would vote "yea".

# REPORT OF THE COMMITTEE OF CONFERENCE ON THE DIS- AGREEMENT OF THE TWO HOUSES ON THE SENATE AMEND- MENTS TO THE BILL, H. B. 211

We, the committee of conference on the disagreement of the two Houses on the amendments of the Senate to the bill, H. B. 211, have met and have agreed to the following report:

We recommend that the House recede from its disagreement to the amendment of the Senate designated as committee amendment No. 2 and agree to the amendment.

We recommend that the Senate recede from the amendment of the Senate designated as committee amendment No. 1, and that both Houses agree to the following amendment in lieu thereof:

Amend subsection I of Section 19 of the bill to read as follows:

## "I. For Debt Service:

(Payment of principal and interest on outstanding  
bonds of the School Bond Commission pursuant to  
Constitutional Amendment) ..... 4,400,000.00

"Funds of the appropriation shall be transferred to the Alabama Building Commission for allocation and distribution to the presently existing eleemosynary and/or to the presently existing educational institutions for capital outlay purposes."

We recommend that the Senate recede from the amendment of the Senate adopted on the motion of Mr. Calvin, and that both Houses agree to the following amendment in lieu thereof:

Amend Section 19 of the bill by adding Subsection J as follows:

"J. MINIMUM PROGRAM FUND, INSTITUTIONS OF HIGHER LEARNING AND TRADE SCHOOLS. Any surplus remaining in the state treasury to the credit of the Alabama Special Educational Trust Fund after the payment in full of all appropriations made payable from said fund during the fiscal year ending September 30, 1955, is hereby appropriated for the following uses and purposes:

"An amount equal to eighty-eight percent thereof shall be paid into the Minimum Program Fund, of which one-half shall be made available



for expenditure during the fiscal year ending September 30, 1956, and the remaining one-half shall be made available for expenditure during ~~the fiscal year ending September 30, 1957. Twelve percent of such~~ appropriation shall be prorated in such manner that the allocation and distribution thereof to the institutions of higher learning and trade schools shall be in the proportion that the appropriations from the Alabama Special Educational Trust Fund during the fiscal year ending September 30, 1956, to each such institution of higher learning and trade school, including appropriations to the several divisions thereof, if any, shall bear to the total sum appropriated from the Alabama Special Educational Trust Fund to all such institutions of higher learning and trade schools, including appropriations to the several divisions thereof, if any, during the fiscal year ending September 30, 1956. Such surplus shall not be transferred to the Alabama Special Educational Trust Fund Surplus Account, nor to the Alabama State Building Commission or the Building Commission Fund, the provisions of Act No. 813, S. 22, approved September 19, 1953, or of any other law to the contrary notwithstanding."

Also, strike out Section 23 of said bill in its entirety, and substitute therefor the following:

"Section 23. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

Also, add the following sentence at the end of Section 22 of the bill:

"Act No. 813, S. 22, approved September 19, 1953, which is in conflict with Subsection J of Section 19 of this Act, is also expressly repealed."

JOE M. DAWKINS

D. W. WARD

W. L. WARD, JR.

Conferees on the part of the House.

BROUGHTON LAMBERTH

GARET VAN ANTWERP

ALBERT BOUTWELL

Conferees on the part of the Senate

#### STATEMENT OF CONFERENCE TO ACCOMPANY CONFERENCE REPORT RELATIVE TO THE BILL, H. B. 211

The conferees on the part of the House at the conference on a disagreement between the two houses on the amendments of the Senate to the bill, H. B. 211, the educational appropriation bill, submit the following detailed statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

##### Amendment 1.

The first Senate amendment of the bill which the House is asked to agree to make an additional \$50,000 available each year to the University of Alabama Medical Center for clinical psychology and psychiatry; it increases the appropriation for extension work for agriculture and home economics from \$865,000 to \$926,000, increases the appropriation to the Alabama Industrial School for Negroes from \$150,000 to \$200,000, and increases the appropriation to the State Training School for Girls from \$118,000 to \$120,000.

##### Amendment 2.

Before amendment by the Senate, subsection I of Section 19 of the bill provided that all funds appropriated for debt service not needed by the School Bond Commission to pay principal and interest on outstanding bonds issued pursuant to the bond issue amendment, would be transferred to the Building Commission for allocation and distribution to presently existing educational and eleemosynary institutions for capital outlay purposes, such outlays to be made for facilities contiguous to the campus of the presently existing institution. The amendment which the two Houses are asked to agree to would require the allocation to be made to an existing institution, but eliminates the requirement that the allocation must be made for a facility contiguous to the campus of a presently existing institution. All the conferees, except Martin, recommend this. Martin dissents, and recommends that the Senate recede from its amendment, and that subsection I of Section 19 of the bill remain in the bill as it was passed by the House.

### Amendment 3.

All the conferees, except Dawkins and Boutwell, agreed to recommend that the House accept the Senate's amendment which appropriates the surplus remaining in the Special Educational Trust Fund at the close of the current fiscal year, 88% to the minimum program fund and the remainder to the institutions of higher learning and trade schools, one-half to be spent during each of the next two fiscal years. This amendment supersedes Act No. 813 of 1953, which provides that this surplus, which will amount to approximately \$4,000,000.00, shall be transferred to the Alabama Building Commission at the end of the current fiscal year.

Messrs. Boutwell and Dawkins dissent from this recommendation, and recommend that the Senate recede from its amendment, with the understanding that the bill, S. B. 131, known as the James bill, be amended so as to provide that this surplus, together with the windfall expected to arise in connection with the withholding of income taxes, could be used as a cushion to meet appropriations from the Alabama Special Educational Trust Fund in the event the Goodwyn income tax amendment is defeated.

JOE M. DAWKINS

D. W. WARD

W. L. MARTIN, JR.

Conferees on the part of the House.

### CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Dawkins, the House concurred in and adopted the Report of the Committee of Conference on the disagreement to the two Houses on the Senate amendment to the bill, H. 211, said report being set out in the above and foregoing Report of the Committee of Conference.

Yeas 78; Nays 4.

### Yeas:

Mr. Speaker	Brooks	Edwards <sup>(Escambia)</sup>	Grouby
Adams	Brown <sup>(Lamar)</sup>	Edwards <sup>(Jefferson)</sup>	Hall
Albea	Burkhalter	Faulk	Haltom
Boyd	Cornett	Ferrell	Hanby
Bradford	Cox	Franklin	Hardy
Brannan	Dawkins	Gilchrist	Hare
Brassell	Dement	Gist	Harrison
Broadfoot	DeSear	Gregory	Hodges

Holliman	Locke (Choctaw)	Molette	Shumate
Huddleston	Locke (Perry)	Money	Simon
Hunt	Love	Nolen	Solomon
Jenkins	McClendon	Oden	Steagall
Johnson (Elmore)	McKay	Payne	Stembridge
Kaul	McLendon	Perry	Summerlin
Kelly	McNider	Pruitt	Taylor
Kendall	Martin	Ramey	Thomas
Killough	Mathews	Reynolds	Tyson
Lackey	Mathison	Roberts	Vacca
Lee (Barbour)	Meeks	Selman	Wood
Lee (Lawrence)	Merrill		

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**Nays:** Messrs. Branyon, deGraffenried, Nettles and Oakley.

—4

And said bill:

H. 211. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 88; Nays 1.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Kelly	Nolen
Adams	Faulk	Kendall	Oden
Albea	Ferrell	Kirkham	Payne
Ashworth	Gilchrist	Lackey	Perry
Boyd	Gist	Law	Pruitt
Bradford	Goodwyn	Lee (Barbour)	Ramey
Brannan	Gregory	Lee (Lawrence)	Reynolds
Branyon	Grouby	Locke (Choctaw)	Richardson
Brassell	Hain	Locke (Perry)	Roberts
Broadfoot	Hall	Love	Selman
Brooks	Haltom	McClendon	Shumate
Brown (Lamar)	Hanby	McKay	Simon
Brown (Lee)	Hardy	McLendon	Solomon
Burkhalter	Hare	McNider	Steagall
Callahan	Harrison	Martin	Stembridge
Cornett	Hodges	Mathews	Stokes
Cox	Holliman	Mathison	Summerlin
Dawkins	Huddleston	Meeks	Taylor
deGraffenried	Hunt	Merrill	Thomas
Dement	Jenkins	Molette	Tyson
DeSear	Johnson (Elmore)	Money	Vacca
Edwards (Escambia)	Kaul	Nettles	Wood

—88

Nays: Mr. Oakley.

—1

### BILLS ON THIRD READING RESUMED

H. 769. Providing that every person, firm, or corporation who sells or furnishes any tractor, scraper, motor vehicle, machinery or like equipment of any kind, or part therefor, or repairs thereto, the purchase price of which exceeds Twenty-Five Dollars (\$25.00), shall have a lien for the full price thereof on the vehicle; providing for the recording of such lien and for the enforcement thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 10.

#### Yeas:

Mr. Speaker	Edwards (Jefferson)	Lackey	Nolen
Adams	Ferrell	Law	Oden
Albea	Gilchrist	Lee (Barbour)	Payne
Ashworth	Gist	Lee (Lawrence)	Perry
Boyd	Gregory	Locke (Choctaw)	Pirkle
Brannan	Grouby	Locke (Perry)	Pruitt
Branyon	Hain	Love	Ramey
Brassell	Hall	McClendon	Reynolds
Brewer	Hanby	McKay	Solomon
Brooks	Hardy	McLendon	Steagall
Brown (Lamar)	Hare	McNider	Stembridge
Brown (Lee)	Harrison	Martin	Stokes
Burkhalter	Hodges	Mathews	Summerlin
Callahan	Hunt	Mathison	Taylor
Cox	Jenkins	Merrill	Thomas
deGraffenried	Johnson (Elmore)	Molette	Vacca
Dement	Kaul	Money	Windle
Dickson	Kelly	Nettles	Wood
Edwards (Escambia)	Killough	Nice	

—75

#### Nays:

Messrs.	Haltom	Oakley	Selman
Bradford	Holliman	Richardson	Tyson
Cornett	Kirkham	Roberts	

—10

And the bill:

H. 879. To amend an Act approved July 10, 1940, entitled "An Act to provide for the distribution of the 1940 Code of Alabama, abridgments, editions or portions thereof; to provide for the conservation of sets distributed; to authorize the sale thereof and to provide an appropriation to carry out the purposes of this Act" (Act No. 650, S. 498, General Acts of Alabama, 1939, p. 1023).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

#### Yeas:

Mr. Speaker	Boyd	Broadfoot	Burkhalter
Adams	Bradford	Brooks	Callahan
Albea	Brannan	Brown (Lamar)	Cornett
Ashworth	Brassell	Brown (Lee)	Cox

Dawkins	Holliman	McLendon	Reynolds
deGraffenried	Huddleston	McNider	Richardson
Dement	Hunt	Martin	Roberts
DeSear	Jenkins	Mathews	Selman
Dickson	Johnson (Elmore)	Mathison	Shumate
Edwards (Escambia)	Kelly	Meeks	Simon
Edwards (Jefferson)	Killough	Merrill	Solomon
Ferrell	Kirkham	Molette	Steagall
Franklin	Lackey	Money	Stembridge
Gist	Law	Nice	Stokes
Gregory	Lee (Barbour)	Nolen	Summerlin
Grouby	Lee (Lawrence)	Oden	Taylor
Hall	Locke (Choctaw)	Payne	Thomas
Hanby	Locke (Perry)	Perry	Tyson
Hardy	Love	Pirkle	Vacca
Hare	McClendon	Pruitt	Windle
Harrison	McKay	Ramey	Wood
Hodges			

—35

And the bill:

H. 868 (with substitute): To regulate further the catching, taking, transporting and processing of menhaden; to authorize the state department of conservation to adopt and enforce reasonable rules and regulations governing the catching, taking, and transporting of menhaden; to levy certain license taxes and to provide for the distribution of the proceeds thereof; to provide for the enforcement of the Act; to provide for an appropriation; and to prescribe penalties for violations of the Act or the rules and regulations promulgated under the Act.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Conservation, said committee substitute being as follows:

#### CONSERVATION COMMITTEE SUBSTITUTE

#### A BILL TO BE ENTITLED AN ACT

To regulate further the catching, taking, transporting, and processing of menhaden; to authorize the state department of conservation to adopt and enforce reasonable rules and regulations governing the catching, taking, and transporting of menhaden; to levy certain license taxes and to provide for the distribution of the proceeds thereof; to provide for the enforcement of the Act; to provide for an appropriation; and to prescribe penalties for violations of the Act or the rules and regulations promulgated under the Act.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) The state department of conservation is hereby vested with full power and authority to adopt and enforce such reasonable rules and regulations as in the opinion of the director of conservation may be deemed necessary or advisable to regulate the catching, taking, or transporting of menhaden in the State of Alabama.

(b) The state department of conservation may adopt rules or regulations prescribing the seasons and time for catching menhaden; fixing the maximum size of nets that may be used in catching and taking menhaden; and regulating the types of nets and other equipment that

may be used in catching, taking, and transporting menhaden. Such rules or regulations shall provide that nets used for catching and taking menhaden shall have mesh of a size approved by the fish and wildlife service, in the United States department of the interior, if that agency has approved the size mesh of nets used for such purposes.

(c) The director of conservation may provide for the enforcement by injunctive relief of rules and regulations promulgated under this Act.

Section 2. Any person, firm, or corporation desiring to engage in the manufacture of fish oil, fish meal, fertilizer, or other products, from menhaden in the State of Alabama shall, before commencing in such business, obtain a permit therefor by making application to the state department of conservation. The application shall contain the following information:

(a) The name and legal domicile of the person, firm, or corporation desiring to engage in such business.

(b) The place where the factory or place of business is, or is to be, located, and, in the case of a corporation, the address of its principal office.

(c) The name or registry number of each vessel engaged, or to be engaged, in catching and taking menhaden; and the application shall be amended accordingly in the event that additional boats or vessels are so employed after the original application is made.

(d) The description, size, and number of nets to be used by each boat or vessel engaged in catching and taking menhaden.

(e) Such other information as shall be required by the department of conservation.

Section 3. The application shall be considered by the department of conservation, and if it is approved, a license shall be issued to the applicant upon the payment of the annual license tax, as follows:

(a) Each factory or manufacturing establishment to engage in the manufacture of fish oil, fish meal, fertilizer, or other products from menhaden, the sum of five hundred dollars (\$500).

(b) On each boat or vessel to engage in catching, taking, or transporting menhaden in the waters of the State of Alabama, the sum of fifty dollars (\$50).

(c) On each net, seine, trawl, or purse net used in catching or taking menhaden in the waters of the State of Alabama, the sum of fifty dollars (\$50).

Section 4. Upon payment of the privilege license taxes herein levied, the department of conservation shall issue an appropriate license certificate therefor, which shall authorize the person, firm, or corporation to whom such license was issued to engage in the business or activity therein stated for a period of one year. The license shall not be transferable, and may be renewed from year to year upon payment of the license tax levied by this Act without applying for or obtaining any further permit.

Section 5. (a) Any person, firm, or corporation who fails to obtain a permit, or who fails to pay the license taxes herein levied, or who continues to operate such business after the expiration of the license without obtaining a renewal thereof, shall be subject to a penalty of fifty dollars (\$50) for each day such business is conducted in violation of this Act.

(b) Any person, firm, or corporation who aids or assists in catching or transporting menhaden in the State of Alabama, or who aids or assists in operating any boat, net, seine, trawl, or purse net, without the license tax herein levied having been paid, shall be guilty of a misdemeanor and upon conviction shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) for each offense.

(c) Any person who violates any rule or regulation promulgated by the department of conservation under this Act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) for each offense.

Section 6. All monies derived from the operation of this Act, including all penalties collected hereunder, shall be remitted into the State Treasury to the credit of the Seafoods Fund.

Section 7. The provisions of this Act are severable. If any part of the Act is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective October 1, 1955.

And the substitute was adopted.

Yeas 86; Nays 1.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Killough	Oden
Adams	Edwards (Jefferson)	Kirkham	Payne
Albea	Ferrell	Lackey	Perry
Ashworth	Franklin	Law	Pirkle
Boyd	Gilchrist	Lee (Barbour)	Reynolds
Bradford	Gist	Lee (Lawrence)	Richardson
Brannan	Gregory	Locke (Choctaw)	Roberts
Branyon	Grouby	Locke (Perry)	Selman
Brassell	Hain	Love	Shumate
Brewer	Hall	McClendon	Simon
Broadfoot	Haltom	McKay	Solomon
Brooks	Hanby	McLendon	Steagall
Brown (Lamar)	Hare	McNider	Stembridge
Brown (Lee)	Harrison	Martin	Stokes
Burkhalter	Hodges	Mathews	Summerlin
Cornett	Holliman	Mathison	Taylor
Cox	Huddleston	Merrill	Thomas
Dawkins	Hunt	Nettles	Tyson
deGraffenried	Jenkins	Nice	Vacca
Dement	Johnson (Elmore)	Nolen	Windle
DeSear	Kaul	Oakley	Wood
Dickson	Kelly		

—86

Nays: Mr. Callahan.

—1

And said bill, H. 868, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 1.

**Yeas:**

Mr. Speaker	Adams	Albea	Ashworth
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Boyd	Gilchrist	Lackey	Oakley
Bradford	Gist	Law	Oden
Brannan	Gregory	Lee (Barbour)	Payne
Branyon	Grouby	Lee (Lawrence)	Perry
Brassell	Hain	Locke (Choctaw)	Pirkle
Brewer	Hall	Locke (Perry)	Reynolds
Broadfoot	Haltom	Love	Roberts
Brooks	Hanby	McClendon	Selman
Brown (Lamar)	Hardy	McKay	Shumate
Brown (Lee)	Hare	McLendon	Simon
Burkhalter	Harrison	McNider	Solomon
Cornett	Hodges	Martin	Steagall
Cox	Holliman	Mathews	Stembridge
Dawkins	Huddleston	Mathison	Stokes
deGraffenried	Hunt	Meeks	Summerlin
Dement	Jenkins	Merrill	Taylor
DeSear	Johnson (Elmore)	Molette	Thomas
Dickson	Kaul	Money	Tyson
Edwards (Jefferson)	Kelly	Nettles	Vacca
Ferrell	Killough	Nice	Windle
Franklin	Kirkham	Nolen	Wood

—88

Nays: Mr. Callahan.

—1

And the bill:

H. 557 (with substitute). To regulate the teaching and practice of cosmetology, requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Health, said committee substitute being as follows:

#### SUBSTITUTE FOR H. B. 557

#### A BILL TO BE ENTITLED AN ACT

To regulate the teaching and practice of cosmetology, requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) "Cosmetology" as used in this Act is hereby defined to mean any one and/or combination of practices generally and usually, heretofore and hereafter performed by, and known as the occupation of Beauty Culturists, or Cosmeticians, or Cosmetologists, or Hairdressers, or of any other person holding him or herself out as practicing Cosmetology by whatever designation and within the meaning of this Act and in/and upon whatever place or premises; and in particular Cosmetology shall be defined and shall include — but otherwise not be limited thereby — the following or any one or a combination of practices, to-wit: Arranging, dressing, curling, waving, cleansing, cutting,



singeing, bleaching, coloring, or similar work, upon the hair of any person by any means, and/or with hands or mechanical or electrical apparatus or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions, creams, or otherwise, massaging, cleansing, stimulating, manipulating, exercising, beautifying, or similar work, the scalp, face, neck, arms, hands, bust, or upper part of the body, or manicuring the nails of any person.

(b) "Cosmotologist" shall mean any person, not an apprentice or a student, following or practicing cosmetology, not owning or managing a Beauty Shop or School of Cosmetology, and who shall have the qualifications hereinafter provided for a cosmetologist.

(c) "Managing Cosmetologist" shall mean a cosmetologist who manages or conducts a beauty shop or school of cosmetology.

(d) "Manicurist" shall mean any person who engages only in the practice of manicuring the nails of any person.

(e) "Apprentice" shall mean any person who is engaged in the learning or acquiring of any or all the practices of cosmetology and while so learning, performs or assists in any of the practices of cosmetology in a shop registered or licensed under this Act.

(f) "Student" shall mean any person who is engaged in the learning or acquiring of any or all the practices of cosmetology and while so learning, performs or assists in any of the practices of cosmetology in a school registered or licensed under this Act under the instruction or immediate supervision of an instructor, licensed as such under this Act.

(g) "Instructor" shall mean any person who is a cosmetologist and who teaches cosmetology or any practices thereof in a duly registered school of cosmetology.

(h) "Student Instructor" shall mean a cosmetologist who is receiving instructions in teacher's training in a duly registered school of cosmetology.

(i) "Beauty Shop" shall mean any place or part thereof, where in or whereupon cosmetology or any of its practices are followed, whether such place is known or designated as a cosmetician, cosmetological or beauty shop or establishment or whether the person practicing cosmetology therein holds himself out as a cosmetician, cosmetologist or beauty culturist, or by any other name or designation indicating that cosmetology is practiced therein.

(j) "School of Cosmetology" shall mean any place or part thereof, wherein or whereupon cosmetology or any of its practices are taught, whether such place or establishment is known or designated as a cosmetician, cosmetological or beauty culture school or establishment, or by any other name or designation, indicating that cosmetology is taught therein to students.

(k) "Place of Cosmetology" for the purpose of this Act, shall mean such place wherein or whereupon cosmetology is practiced on the members of the general public for compensation; and such place wherein or whereupon cosmetology is taught to students shall hereinafter be considered as a school of cosmetology; provided, however, that any appropriate name herein mentioned may be used for either such beauty shop or for such school of cosmetology, respectively but such name shall be displayed upon or over the entrance door or doors of such place designating it as a beauty shop or school of cosmetology as the case may be, within the meaning of this Act. Either of such establishments shall be entirely distinct and permanently separated from any living quarters.

(1) "Board" as that term shall be used in this Act shall mean and refer to the Alabama Board of Cosmetology, as hereinafter provided for.

Section 2. After October 1, 1955, it shall be unlawful for any person in this State to engage in or to follow or to attempt to engage in or to follow or to hold himself or herself out as engaging in or following, or to advertise or to assume to engage in or to follow the occupation of cosmetology as a cosmetologist, or manicurist, or manager, or apprentice, or student, in and upon whatever place or premises, unless such person shall have first obtained a license from the Alabama Board of Cosmetology; or to engage in the teaching of cosmetology, or to receive teacher's training in a school of cosmetology, without first procuring a license from and becoming registered with the Alabama Board of Cosmetology, as the case may be.

Section 3. After October 1, 1955, it shall be unlawful for any person, co-partnership, association or corporation, foreign or domestic, to engage in or to follow, or to hold himself, herself or itself out as engaging in or following, or to advertise or to assume to engage in or to follow the conducting and operation of a beauty shop or a school of cosmetology, by whatever name or designation, in and upon whatever, place or premises, within this State, without first procuring from the Alabama Board of Cosmetology, a certificate of registration, as provided by this Act.

Section 4. There is hereby created the Alabama Board of Cosmetology, to consist of five persons, citizens of this State for at least five (5) years prior to their appointment, for the purpose of carrying out and enforcing the provisions of this Act. Such Board shall be appointed by the Governor and no two Board members shall be residents of the same congressional district of the State of Alabama. The members of the Board shall be at least twenty-five (25) years of age, must have had at least five (5) years practical experience in the majority of the practices of Cosmetology and shall be citizens of this State. One member of said Board shall be a member of or affiliated with a school of cosmetology. One (1) member shall be appointed for a term of one (1) year, one (1) member for a term of two (2) years, one member for a term of three (3) years, one member for a term of four (4) years, and one member for a term of five (5) years, and until their successors are appointed and qualified. Vacancies on the Board shall be filled by the Governor. Said Board may do all things necessary and convenient for enforcing the provisions of this Act. They may from time to time promulgate necessary rules and regulations compatible with the provisions of this Act. Board members shall serve at the pleasure of the Governor.

Section 5. (a) The members of the Board shall, annually, elect from among their number, a president, a secretary and a treasurer. They shall be empowered to employ adequate personnel properly to enforce the provisions of this Act. The compensation of said personnel shall be paid out of the funds received by the Board. All employees of the Board shall serve at the pleasure of the Board. The Board members, before entering upon the discharge of their duties, shall file with the Treasurer of the State a good and sufficient bond in the penal sum of Five Thousand Dollars (\$5,000.00) payable to the State of Alabama to insure the faithful performance of his or her duties and the premium of such bond shall be paid out of the funds of the Board. Such bond with the approval of the Board and oath of office endorsed thereon shall be deposited with the Secretary of State and kept in his office. Provided however, that the member of the Board elected as treasurer shall file with the Treasurer of the State a good and sufficient bond in the

penal sum of \$25,000, payable to the State of Alabama, to insure the faithful performance of his or her duties as such treasurer, and the premium on such bond shall be paid out of the funds of the Board.

Section 6. Each Board member shall receive fifteen dollars (\$15.00) per diem while engaged in the discharge of his or her official duties, and necessary expenses incurred therein, not to exceed ten dollars (\$10.00) per day, plus nine cents a mile for necessary travel involved in such official duties. The members' compensation, for expenses as herein provided and other expenses authorized by this Act shall be paid from the fund derived from the operation of this Act, and held in the State Treasury to the use of the Board, on requisition signed by the President and Treasurer of the Board, and on warrant of the Auditor of the State. Any monies remaining in this fund, not expended or obligated as provided in this Act, shall at the end of each fiscal year be transferred to the general fund of the State.

Section 7. The Board shall meet in the City of Montgomery on the second Tuesday in January, April, July and October of each year, and at such other times and places as the Board may direct. The majority of the members of the Board shall constitute a quorum for the transaction of business. The Board shall prescribe rules for its government and have a seal with which to authenticate its acts. Provided however, that the members of such Board shall not be entitled to the per diem and expenses hereinabove provided for for more than twenty days during any calendar year.

Section 8. The said Board shall keep a permanent record of its proceedings. It shall keep a register of applicants for certificates or licenses showing the name of the applicant, the name and location of his or her place of occupation or business, and whether the applicant was granted or refused a Certificate or license. The books and records of the Board shall be prima facie evidence of matters therein contained, shall constitute public records, and shall at all reasonable times be open for public inspection.

Section 9. No person shall be admitted to examination or receive a license under this Act, except as otherwise provided for in this Act, unless such person shall possess the following qualifications:

(a) Cosmetologist — Except as otherwise provided for in this Act, no person may be licensed as a cosmetologist in any one or combination of the practices of cosmetology under this Act, unless such person shall pay the original licensing fee as hereinafter provided for, and have an education equivalent to the completion of eight grades in school and shall have served and completed the required time and studies as follows:

1. For a complete course of cosmetology, consisting of all or the majority of practices thereof in a school of cosmetology, of at least one thousand (1000) hours of continuous training not to exceed more than eight (8) hours in any one day;

2. Or as an apprentice in a beauty shop for a period of not less than four thousand (4000) hours over a minimum period of two (2) years of training not to exceed more than eight (8) hours in any one day; or, in either event.

3. Shall have passed an examination to the satisfaction of the Board as provided in this Act.

(b) Manicurist — Except as otherwise provided for in this Act, no manicurist may be licensed as such unless such person shall pay the original licensing fee as hereinafter provided for and shall have com-

pleted a course of training of not less than three hundred (300) hours in a school of cosmetology, or shall have served as an apprentice in a beauty shop for a period of not less than six hundred (600) hours and a minimum period of four (4) months of continuous training not to exceed more than eight (8) hours in any one day, and shall have passed an examination to the satisfaction of the Board as provided for in this Act.

(c) Managing Cosmetologists — Except as otherwise provided for in this Act, no person may be licensed as a managing cosmetologist, unless such person shall pay the original licensing fees as hereinafter provided for, and shall be a licensed cosmetologist.

(d) Apprentices — Apprentices in cosmetology shall be registered upon the payment of the original fee as hereinafter provided for, payable upon the commencement of the apprenticeship in a duly registered beauty shop. Such apprentice shall be at least sixteen (16) years of age at the time of such registration. Provided, that any beauty shop that shall take an apprentice shall immediately file with the Board the name and age of such apprentice, and the Board shall cause the same to be entered in a registry kept for that purpose.

(e) Students — Student in cosmetology shall be registered by the Board without fee, upon enrollment in a registered school of cosmetology, and upon certification by such school of such enrollment. A student shall be at least sixteen (16) years of age at the time of such registration. Provided, that any school of cosmetology that shall enroll such a student shall immediately file with the Board the name and age of such student, and the Board shall cause the same to be entered in a registry kept for that purpose.

(f) Instructors — Except as otherwise provided for in this Act, no person may be licensed as an instructor in any one or combination of the practices of cosmetology unless such person shall pay the original licensing fee as hereinafter provided for, and shall hold a license as a cosmetologist issued to him pursuant to Paragraph (a) in Section 9 hereinabove, and in addition,

1. Shall have at least six (6) months teacher's training course in cosmetology in a registered school of cosmetology, provided that in no event shall more than nine (9) months teacher's training be required for admission to examination; or

2. Shall have at least two (2) years experience as an active practicing cosmetologist and supplemented by not less than three (3) months teacher's training in cosmetology in a registered school of cosmetology, provided that in no event shall more than five (5) months teacher's training be requisite for admission for examination; or

3. Shall possess a current license on a cosmetologist and shall have been actively engaged in the practice of cosmetology for at least five (5) years immediately prior to such person's application to the Board for an instructor's license.

No instructor or student instructor shall be permitted to practice cosmetology on the public other than such practical work as shall pertain directly to the teaching of practical subjects to students.

(g) Student Instructors — Student instructors in cosmetology shall be registered as such without fee, upon enrollment in a registered school of cosmetology, and upon certification by such school to the Board of such enrollment. A student instructor at the time of such enrollment shall hold a license as a cosmetologist. Upon the completion

of the course prescribed by this Act for a student instructor, said student instructor may make application on a form provided by the Board and pay the examination fee as hereinafter provided for. Said Board shall thereupon cause such applicant to be examined for an instructor's certificate, said examination to be given by the Board, assisted by a person who shall possess at least the minimum qualifications entitling him or her to instruct students in high schools within this State. Upon such applicant's successfully passing said examination and the payment of the original licensing fee of an instructor as hereinafter provided for said Board shall issue and give an instructor's certificate. Provided that any school of cosmetology that shall enroll any person as a student instructor shall immediately file with the Board the name and age of such student, his qualifications qualifying him for such course as herein provided and the Board shall cause the same to be entered in a register kept for that purpose.

The sufficiency of the qualifications of applicants for admission to the examinations or for licensing as herein provided for shall be determined by the Board, subject to such provisions as the Board shall make.

Persons duly registered under any limited or unlimited medical practice laws or lecturers upon subjects not directly appertaining to cosmetology, need not be holders of cosmetologists certificates as provided for in this Act, nor need such persons have the required training in cosmetology, and they shall otherwise be exempt from the provisions of this Act.

Section 10. (a) It shall be competent for any person, firm, corporation or association to apply to the Board for a certificate of registration as a registered beauty shop or school of cosmetology, within the meaning of this Act, said application to be upon a form prescribed by the Board, and shall be accompanied by the payment of the original registration fee, as hereinafter provided for. Any beauty shop or school of cosmetology shall after the effective date of this Act fully comply with all the provisions of the Act applicable thereto, and with all the rules and regulations promulgated by the Board as hereinafter provided.

(b) No beauty shop shall accept an apprentice unless such beauty shop be in charge of a managing cosmetologist, licensed as such, and shall have also on its staff at least one additional licensed cosmetologist: provided, further, that such shop may register one additional apprentice for each three additional licensed cosmetologists attached to its staff. In addition, such shop shall possess the necessary apparatus and equipment for the proper instruction in all subjects for the practices for which a license is required under this Act, and shall maintain a daily record of the attendance of such apprentice or apprentices, together with the number of hours of apprenticeship, and shall certify to the Board upon termination of such apprenticeship the credits earned. Such instruction shall require the necessary training for a complete course comprising all or the majority of the practices of cosmetology as provided in Section 9, Paragraphs a and b of this Act and such course shall include practical demonstrations and theoretical studies and studies in sanitation, sterilization, and other safety measures, and the use of antiseptics, cosmetics and electrical appliances, consistent with the practice and theoretical requirements as applicable to cosmetology, as provided for in this Act.

(c) Any person, firm or corporation teaching any or all of the practices of cosmetology, shall be required to comply with all provisions applicable to schools of cosmetology or to beauty shops having apprentices and any and all rules which may be promulgated by the Board. No school of cosmetology or beauty shop shall operate within

this State unless a proper certificate of registration under this Act has first been obtained. The practice of cosmetology shall not be followed in this State except in a duly registered beauty shop or school of cosmetology except for educational purposes.

Section 11. No school of cosmetology shall be granted a certificate of registration unless it shall employ and maintain a sufficient number of competent instructors, at least one for every twenty students in attendance at any one time; shall possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum; shall keep a daily record of the attendance of each student, maintain regular class and instruction hours, establish grades, and hold examinations before issuance of diplomas; and shall require a school term of training for a complete course comprising all or the majority of the practices of cosmetology as provided in Section 9 (a) of this Act, together with the minimum number of hours therein prescribed; and shall include practical demonstrations and theoretical studies and study in sanitation, sterilization, other safety measures, and the use of antiseptics, cosmetics and electrical appliances, consistent with the practical and theoretical requirements as applicable to cosmetology or any practice thereof, as provided in this Act. Any such school that shall enroll student instructors, shall not have at any one time more than one student instructor for each licensed instructor actively engaged in such school.

Section 12. Each person, who desires to engage in any of the practices designated to be within the meaning of this Act shall file with the Secretary of the said Board a written application for a certificate to practice or for an examination and license to practice as the case may be and as provided in this Act, said application to be accompanied by a health certificate issued by a regularly licensed physician, on a form prescribed and supplied by said Board. Such applicant shall, under oath, submit photographs, satisfactory proof of the required age, educational qualifications, and be of good moral character, and shall deposit with the Secretary the required fee hereinafter provided for.

Section 13. If the Board finds that the applicant has submitted the credentials required for admission to the examination and license, or registration, and has paid the required fee, and shall have complied with the requirements of Section 12, the Board shall admit such applicant to examination or for registration, as the case may be.

Section 14. The examination of applicants for a license to practice a classified occupation as designated under this Act shall be conducted under rules prescribed by the said Board and shall include both practical demonstrations, written and oral tests in reference to the practices for which a license is applied and such related studies on subjects as the Board may determine necessary for the proper and efficient performance of such practices; and shall not be confined to any specific system or method, and such examinations shall be consistent with a prescribed curriculum for a Beauty School or Schools of Cosmetology and the practical and theoretical requirements for the practice of Cosmetology as provided by this Act.

Section 15. If an applicant for examination to practice cosmetology passes such examination to the satisfaction of said Board and has paid the required fee as provided in Section 16 hereof and otherwise complies with the requirements provided in this Act, or an applicant who otherwise qualified for registration, and has paid the required fee and complies with the requirements for registration as provided in this Act, the Board shall issue a certificate or license, as the case may be, to that effect, signed by the Secretary and/or members of the Board and attested by its seal. Such certificate or license shall be evidence

~~that the person to whom it is issued is entitled to follow the practices~~  
 occupation or occupations, as classified under this Act. The holder of a cosmetologist's license, as herein provided for, shall have the right and privilege to place the initials "R. C." immediately following his or her name to designate him or her as a registered cosmetologist.

Section 16. The various fees to be paid by the applicants for original registrations, original licenses, annual renewals, temporary permits, licenses issued upon reciprocity, and examinations as required under this Act, shall be as follows:

(a) Original registrations, licenses and annual renewals thereof

Beauty Shop, original registration .....	\$25.00
School of Cosmetology, original registration .....	200.00
School of Cosmetology, annual renewals .....	50.00
Cosmetologist, original license .....	5.00
Cosmetologist, annual renewal .....	3.00
Managing Cosmetologist, original license .....	5.00
Managing Cosmetologist, annual renewal .....	3.00
Manicurist, original license .....	5.00
Manicurist, annual renewal .....	3.00
Apprentice, registration fee .....	1.00
No renewal fees required .....	
Instructor, original license .....	10.00
Instructor, annual renewal .....	3.00
License to practice under reciprocity .....	15.00
Annual Renewals — as prescribed hereinabove for the designated occupation .....	

No fees shall be required for the registration of a student or a student instructor nor for the issuance of a temporary permit.

(b) Examinations

As a cosmetologist .....	5.00
As a managing cosmetologist .....	5.00
As an instructor .....	5.00
As a manicurist .....	5.00

Section 17. (a) The board shall have authority to employ inspectors, and to employ and fix the compensation of such regular or special counsel, clerks and other assistants as it may deem necessary in order to carry out the provisions of this chapter, subject, however, to the limitation that the number of clerks and other assistants shall at no time exceed a total of three and that the number of inspectors employed by the Board at any one time shall not exceed six, one or more of whom may be inspectors of colored shops and schools, and subject to the further limitation that no employee of the board shall be related by blood or marriage to any member of said Board, which said inspector shall be approved by the Department of Public Health of the State of Alabama before being eligible for such employment. Each inspector

shall receive a salary of twenty-four hundred dollars per year and shall be reimbursed for actual expenses involved in the discharge of his or her duties. Such expenses shall not exceed the sum of ten dollars (\$10.00) per day, plus five cents a mile travel expenses.

(b) All inspectors appointed under the provisions of this law shall be registered cosmetologists who have engaged in the practice of cosmetology in this state for not less than three years, and who are not less than twenty-five years of age.

Section 18. The Board may dispense with examinations of applicants as provided in this Act, may grant Certificates of Registration of Licenses under the respective sections, upon the payment of the required fee as provided in this Act, provided that such applicant is currently licensed in and has complied with the requirements of another State, territory, District of Columbia, or foreign county, state or province wherein the requirements for registration were substantially equal to those in force in this State at the time said license was issued by said State, Territory, District of Columbia, or foreign country, state or province or upon due proof that such applicant has continuously practiced the practices or occupation for which a license is applied at least five (5) years immediately prior to such application and upon the payment of a fee provided in Section 16 of this Act.

Section 19. Any person, who, at the time of the passage of this Act is, or prior thereto has practiced within this State cosmetology or any of its practices as a cosmetologist, and as such is at the time of the passage of this Act acting as an instructor, managing cosmetologist, or owner of a beauty shop or a school of cosmetology, and any person who at the time of the passage of this Act and for at least six (6) months immediately prior thereto has been in the continuous and actual practice of cosmetology or any of the practices thereof, in established places of business or beauty shop or school of cosmetology within this State as a cosmetologist, and not as an apprentice or student, shall be registered by the Board and shall receive a license to practice and follow the occupation of cosmetology to the same extent and in the same capacity as such person has practiced or is practicing cosmetology or any of the practices thereof as a cosmetologist, instructor, managing cosmetologist, or owner. Such certificates and licenses shall be issued by the Board without an examination, and such person shall also be exempt from the qualifications heretofore set out as to education, age, or physical examination. Any person studying at the time of the passage of this Act to become a student instructor or studying the occupation of cosmetology or any practice thereof in a school of cosmetology or who shall be acquiring the practice in a beauty shop as an apprentice shall receive credit for the time and hours spent in such; providing that the person or persons to be exempted under this Section as provided hereinabove and providing that the student and apprentice to be credited as hereinabove provided shall within ninety (90) days after the appointment of the Board by the Governor file with said Board an application upon a form prescribed and furnished by the Board for a license to practice or to follow the practice or practices in the same capacity as shall have been followed by him prior thereto or for a certificate of credits as a student or apprentice as the case may be. Such application shall be accompanied by an affidavit sworn to before a Notary Public or an officer authorized to administer oaths, and shall be signed by the applicant, stating the practice or practices followed by him prior thereto or the study pursued, and further providing that such application be accompanied by a registration fee of Five Dollars (\$5.00) for applications by cosmetologists, Five Dollars (\$5.00) for instructors, Five Dollars (\$5.00) for managing cosmetologists, Five Dollars (\$5.00) for owners of beauty shops, One Dollar (\$1.00) for students or apprentices,



~~and fifty Dollars (\$50.00) for schools of cosmetology. Any license or certificate so issued shall thereafter be renewable as provided in this Act and upon the payment of the renewal fees as provided for in this Act.~~

Section 20. The Board shall have the power to refuse, revoke and suspend licenses and certificates, provided for in this Act, upon proof of violation of any of the rules and regulations promulgated by the said Board, or upon proof of violation of any of the sections of this Act.

The Board may refuse to grant or may revoke or suspend any certificate or license issued in any case where the holder of or applicant for such license or certificate shall have been guilty of fraud or dishonest conduct in the taking of the examination herein provided for, or shall at any time have been convicted of a felony or of gross immorality, or shall be guilty of grossly unprofessional or dishonest conduct, or shall be addicted to the excessive use of intoxicating liquors or to the use of drugs to such an extent as to render him or her unfit to practice in any of the practices or occupations set forth in this Act, or who shall advertise by means of knowingly false or deceptive statements, or who shall fail to display the license or certificate issued to him as provided for in this Act. Provided, however, that the Board shall not on any of the grounds in this section stated, refuse to issue or renew any license or certificate, nor shall it revoke or suspend any such license or certificate already issued, except after a hearing, of which the applicant or licensee or the holder of the certificate affected shall be given at least twenty (20) days notice in writing, specifying the reason or reasons for denying the applicant a license or certificate or registration, or in case of a suspension or revocation, the offense or offenses of which the licensee or the holder of the certificate of registration is charged. Such notice may be served by mailing a copy thereof by registered mail to the last known residence or business address of such applicant, licensee or holder of a certificate. The hearing on such charges shall be at such time and place as the Board may prescribe, provided, however, that such hearing must be held in the county in which such applicant, licensee or holder of a certificate has his or her place of business.

The members of the Board shall have the power to administer oaths and shall have the power to require the attendance of witnesses and the production of such books, records and papers as it may desire at any hearing on any matter which the Board has authority to investigate, and for that purpose may require the Secretary of the Board to issue a Subpoena Duces Tecum to compel the production of any books, records or papers, directed to the Sheriff of the County where such witness resides or may be found, which Subpoenas and Subpoenas Duces Tecum shall be served and returned in the same manner as a subpoena in a criminal case is served and returned. The fees and mileage of the sheriff and witnesses shall be the same as allowed in the Circuit Courts of this State. Such fees and mileage shall be paid from the funds of the Board on deposit in the State Treasury for the use of the Board, in the same manner as other expenses of the Board are paid. The Board must subpoena all witnesses for whom subpoena is requested by the applicant, licensee or holder of a certificate provided, however, that such request shall be made in writing to the Secretary of the Board at least ten (10) days prior to the date set for the hearing. All fees and mileage of the Sheriff and witnesses subpoenaed at the request of such applicant, licensee or holder of a certificate shall be paid by the applicant, licensee or holder of a certificate, an execution may issue therefor the same as provided in civil cases in the Circuit Courts of this State.

Section 21. Findings made by the Board are deemed conclusive, unless within thirty (30) days after notice of the decision of the Board has

been given an aggrieved party, said aggrieved person shall appeal said finding or ruling to the Circuit Court of the County of his residence, or to the Circuit Court of Montgomery County. In the event of such appeal, the Circuit Court shall hear the same de novo. Such appeal shall be taken by the filing with the Board of a letter stating the aggrieved person's desire to appeal said findings, and said letter shall specify whether the appeal is taken to the Circuit Court of the county of his residence or to the Circuit Court of Montgomery County. Such aggrieved person shall have a right to demand trial by jury by demanding same at the time of the filing with the Board of the notice of appeal. The action of the Board shall be stayed pending such appeal. The Circuit Court shall have the right to affirm, reverse or affirm in part or reverse in part the finding of the Board and shall render such final judgment as to the court may seem just and proper.

In the event the decision of the board is affirmed the cost of such appeal shall be taxed against the party taking such appeal. In the event the decision of the board is not affirmed in whole, the court shall in its discretion tax such cost of appeal against the board or against the person taking such appeal or partly against each; and the court in its discretion may award a reasonable attorney fee to the attorney for the party taking such appeal as part of such cost, in the event the decision of the board is not affirmed in whole.

Section 22. Any investigation, inquiry or hearing, which the said Board is empowered by this Act to hold or undertake may be held or undertaken by, or held before any three members of said Board, and shall be deemed to be the finding or order of said Board when approved and confirmed by a majority of said Board.

Section 23. The fees for examination, licenses and certificates, as provided for in this Act, shall be paid in advance to the Secretary of the Board, and by him paid each month into the State Treasury to the credit of a fund for the use of the said Board. On failure to pass an examination the fees shall not be returned to the applicant, but within the year after such failure he or she may present himself or herself and be again examined without the payment of an additional fee.

Section 24. It shall be unlawful for any person, firm or corporation to practice cosmetology except in a bona fide established beauty shop or school of Cosmetology, wherein the requirements of law as to proper, sanitary and exclusive practices of cosmetology are complied with.

Section 25. The Board may issue a temporary license, to any person who otherwise is subject to examination, as provided in this Act, upon documentary or other satisfactory evidence that the applicant therefor has the necessary qualifications to practice any one or any combination of practices of Cosmetology for which a temporary license is applied; providing, however, that such application for a temporary license is accompanied by an application for an examination as provided in this Act and the necessary fee therefor as provided in Section 16 of this Act. Each temporary license shall state the date of expiration and the temporary license shall after such date be void and of no effect. Such temporary license shall in no event remain in force beyond the date of the next regular meeting of the Board at which examinations are held and until the results of the applicant's examinations are announced. Two such temporary licenses may not be issued to the same person.

Section 26. Nothing in this Act shall prohibit service in case of emergency, or domestic administration, without compensation, nor services by persons authorized under the laws of this State to practice medicine, surgery, dentistry, chiropedy, osteopathy, or chiropractic or the occupation of a masseur, nor services by barbers, insofar as their

usual and ordinary vocation and profession is concerned, when engaged ~~in any of the following practices, namely: arranging, cleansing, cutting, or singeing the hair of any person; or in massaging, cleansing, stimulating, exercising, or similar work, the scalp, face or neck of any person, with the hands, or with mechanical or electrical apparatus or appliance, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams.~~

Section 27. Every holder of a certificate or license granted by the said Board, as provided in this Act, shall display it in a conspicuous place in his or her principal office, place of business or employment.

Section 28. The holder of a certificate or license issued by said Board as provided in this Act, who continues in active practice of said occupation within the meaning of this Act, shall annually on or before the 1st day of October, renew his or her certificate or license and pay the renewal fee. A certificate or license which has not been renewed prior to the 31st day of October in that year, shall expire on the 1st day of November in that year. The holder of the expired certificate or license may have within three (3) years of the date of the expiration, the certificate restored upon the payment of the required renewal fee and satisfactory proof of his or her qualifications to assume practice or occupation. The restoration fee shall be as follows: the sum of the accumulated annual renewal fees for the lapsed period, plus the fee for the current year.

Section 29. The first certificates or licenses issued under this Act shall be valid until October 1, 1956. Thereafter no certificate or license shall be issued for a longer period than one year, and all certificates shall expire on the 30th day of September, next succeeding, unless renewed for the next year, by the 31st day of October and upon payment of the fees for renewal as herein provided.

Section 30. Any person or corporation who shall practice cosmetology or any of the practices thereof, maintain a school of cosmetology or a Beauty Shop, or act in any capacity wherein a certificate or license is required, without a certificate or license provided in this Act, or shall in any other form or manner violate any of the provisions of this Act, shall be guilty of a misdemeanor and shall be fined not to exceed One Hundred Dollars (\$100.00) or shall be imprisoned for no more than ninety (90) days, or both, and if a corporation, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00).

(a) This bill shall not apply in counties over five hundred thousand population according to the last or any subsequent federal decennial census.

Section 31. If any section, or phrase of this Act is for any reason held to be unconstitutional or invalid such decision shall not affect the validity of the remaining portions of this Act.

Section 32. All acts or parts of acts in conflict herewith are hereby repealed.

Section 33. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 61; Nays 7.

Yeas:

Mr. Speaker  
Adams

Ashworth  
Boyd

Bradford  
Brannan

Branyon  
Brassell

Brewer	Gist	Jenkins	Molette
Broadfoot	Grouby	Kelly	Money
Brown (Lamar)	Hain	Killough	Nettles
Brown (Lee)	Hall	Lackey	Nolen
Burkhalter	Haltom	Law	Payne
Callahan	Hanby	Lee (Lawrence)	Pruitt
Cornett	Hardy	Locke (Choctaw)	Reynolds
deGraffenried	Hare	McKay	Solomon
Dement	Harrison	McLendon	Steagall
Edwards (Escambia)	Havrey	McNider	Stembridge
Edwards (Jefferson)	Hodges	Mathews	Taylor
Ferrell	Holliman	Meeks	Thomas
Franklin	Huddleston	Merrill	Vacca
Gilchrist			

—61

**Nays:**

Messrs.	Dickson	Lee (Barbour)	Richardson
Dawkins	Gregory	Oakley	Windle

—7

And said bill, H. 557, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 11.

**Yeas:**

Messrs.	<b>DeSear</b>	Hodges	Mathison
Adams	Edwards (Escambia)	<b>Huddleston</b>	Merrill
Ashworth	<b>Edwards (Jefferson)</b>	Hunt	Molette
Royd	Ferrell	Jenkins	Money
Brannan	Franklin	<b>Johnson (Elmore)</b>	Nettles
Branyon	Gilchrist	Kelly	Nolen
Brassell	Gist	Killough	Payne
Brewer	Grouby	Lackey	<b>Pruitt</b>
Broadfoot	Hain	Law	Roberts
Brown (Lamar)	Hall	<b>Locke (Choctaw)</b>	Solomon
Burkhalter	Hanby	McClendon	Steagall
Callahan	Hardy	McKay	Stembridge
Cornett	<b>Hare</b>	McLendon	Taylor
deGraffenried	<b>Harrison</b>	McNider	<b>Thomas</b>
Dement	Havrey		

—57

**Nays:**

Messrs.	Dickson	Holliman	<b>Oakley</b>
Bradford	Gregory	Kirkham	Richardson
Dawkins	Haltom	Lee (Barbour)	Windle

—11

And the bill:

H. 564. To amend further Section 630 of Title 7, Code of Alabama (1940), which relates to the exemption of wages from garnishment or other process for the collection of debts.

Was read a third time at length and lost.

Yeas 38; Nays 43.

**Yeas:**

Mr. Speaker	Ashworth	Bradford	Broadfoot
Albea	Boyd	Bressell	Brown (Lamar)

Callahan	Hanby	Love	Roberts
Dawkins	Hardy	Merrill	Selman
<del>deGraffenried</del>	<del>Hare</del>	<del>Molette</del>	<del>Shumate</del>
Dement	Havrey	Nice	Simon
Edwards <sup>(Escambia)</sup>	Holliman	Nolen	Speaks
Ferrell	Huddleston	Payne	Taylor
Gregory	Kelly	Reynolds	Tyson
Haltom	Lee <sup>(Lawrence)</sup>		

—38

**Nays:**

Messrs.	Gist	McClendon	Pruitt
Adams	Grouby	McKay	Ramey
Brannan	Hall	McLendon	Richardson
Branyon	Hodges	McNider	Solomon
Brewer	Hunt	Martin	Steagall
Brown <sup>(Lee)</sup>	Jenkins	Mathison	Stembridge
Burkhalter	Kaul	Meeks	Stokes
Cornett	Killough	Money	Summerlin
Edwards <sup>(Jefferson)</sup>	Kirkham	Nettles	Thomas
Faulk	Law	Oakley	Vacca
Franklin	Lee <sup>(Barbour)</sup>	Perry	Windle

—43

**H. 950 POSTPONED**

On motion of Mr. Brassell, consideration of the bill, H. 950, was postponed until the thirty-sixth legislative day without losing its place on the Calendar.

And the bill:

H. 714. For the relief of S. H. Park of Tuscaloosa: To make an appropriation of highway department funds to reimburse S. H. Park for sums expended for medical care and treatment on account of personal injuries suffered by him on or about October 23, 1950, while the said S. H. Park was acting within the line and scope of his employment with the State Highway Department.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 3.

**Yeas:**

Mr. Speaker	Cox	Hunt	Mathews
Adams	Edwards <sup>(Jefferson)</sup>	Jenkins	Mathison
Albea	Faulk	Johnson <sup>(Elmore)</sup>	Merrill
Ashworth	Ferrell	Kaul	Molette
Boyd	Franklin	Kelly	Money
Bradford	Gist	Kendall	Nettles
Brannan	Gregory	Killough	Nice
Branyon	Grouby	Lackey	Nolen
Brassell	Hain	Law	Payne
Brewer	Haltom	Lee <sup>(Barbour)</sup>	Perry
Broadfoot	Hanby	Locke <sup>(Choctaw)</sup>	Pirkle
Brooks	Hardy	Love	Pruitt
Brown <sup>(Lamar)</sup>	Hare	McClendon	Ramey
Brown <sup>(Lee)</sup>	Harrison	McKay	Reynolds
Burkhalter	Havrey	McLendon	Richardson
Callahan	Hodges	McNider	Roberts
Cornett	Huddleston	Martin	Selman

Shumate  
Simon  
Speaks

Steagall  
Stembridge  
Stokes

Summerlin  
Taylor  
Thomas

Tyson  
Vacca  
Windle

—80

**Nays:** Messrs. Holliman, Kirkham and Oakley.

—3

### RECESS

On motion of Mr. Martin the House recessed until 1:30 o'clock this afternoon.

### AFTERNOON SESSION

The hour of 1:30 o'clock P. M. having arrived, the House reconvened.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 76. Requesting State Board of Education to consider locating one of additional vocational trade schools in the city of Montgomery.

J. E. SPEIGHT,  
Secretary.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate bill:

S. B. 316. To make an appropriation for the promotion and advertisement of Alabama through sponsorship of the Blue and Gray Football Game.

J. E. SPEIGHT,  
Secretary.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. B. 41. Providing further for state planning and industrial development; abolishing the State Planning Board as now constituted, and creating in lieu thereof the State Planning and Industrial Development Board; providing for the selection of the members of the Board, and prescribing their powers, duties, terms, qualifications, and compensation; vesting the authority, functions, funds, effects, and personnel of the State Planning Board in the State Planning and Industrial Development Board; prescribing the authority and functions of the State Planning and Industrial Development Board; and providing for the appointment of a director of the Board, and prescribing his powers, duties, term, qualifications, and compensation.

And said Bill, H. B. 41, together with the Conference report, is herewith returned to the House.

J. E. SPEIGHT,  
Secretary.

**BILLS ON THIRD READING RESUMED  
MOTION ADOPTED**

The motion of Mr. Harrison to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 556, was adopted.

And the bill:

H. 556. To amend Sections 1, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 18 of Act No. 682, adopted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize any county public building authority now or hereafter organized thereunder to acquire and construct one or more buildings for the use of any municipality or public corporation in the county in which such authority is organized and to lease the same to such municipality or public corporation, to authorize any such county public building authority to issue revenue bonds in lieu of revenue warrants, to provide that such bonds shall constitute negotiable instruments, to specify that any mortgage executed by any such authority shall contain such provisions as its board of directors shall deem advisable, and to authorize the board of directors of any such authority to adopt a resolution, whenever it does not have any bonds or warrants outstanding, declaring that such authority be dissolved.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Lackey	Pirkle
Adams	Ferrell	Lee (Lawrence)	Ramey
Ashworth	Gist	Locke (Choctaw)	Reynolds
Bassett	Grouby	Locke (Perry)	Richardson
Boyd	Hain	Love	Roberts
Brannan	Hall	McClendon	Selman
Branyon	Haltom	McLendon	Simon
Brewer	Hardy	Martin	Speaks
Broadfoot	Hare	Mathews	Steagall
Brooks	Harrison	Merrill	Stembridge
Brown (Lamar)	Havrey	Molette	Stokes
Callahan	Hodges	Money	Summerlin
deGraffenried	Hunt	Nettles	Taylor
Dement	Kelly	Nolen	Vacca
DeSear	Kendall	Oakley	Ward
Dickson	Killough	Oden	Windle
Edwards (Escambia)	Kirkham		

—66

**MESSAGE FROM THE SENATE**

**Mr. Speaker:**

The Senate has concurred in and adopted the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. B. 211. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State

Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

And said Bill, H. B. 211, together with Conference report, is herewith returned to the House.

J. E. SPEIGHT,  
Secretary.

### BILLS ON THIRD READING RESUMED

H. 797. To amend Section 211 of Title 46 of the 1940 Code of Alabama, and to repeal Section 210 of Title 46 of the 1940 Code of Alabama, all of said sections being relative to the practice of optometry; to repeal the law which authorizes the operation of an optometric department in a store or business establishment; to amend the law regulating advertising; to provide a rule for the construction of this act; to repeal conflicting laws and to set the effective date of this act.

Was taken up.

The motion of Mr. Martin to indefinitely postpone the bill, H. 797, was lost.

Yeas 25; Nays 53.

#### Yeas:

Messrs.	Edwards (Jefferson)	McLendon	Ramey
Ashworth	Grouby	McNider	Richardson
Boyd	Hall	Martin	Shumate
Bradford	Hare	Mathews	Taylor
Brooks	Harrison	Meeks	Ward
Brown (Lamar)	Kaul	Perry	Windle
Dawkins	Lackey		

—25

#### Nays:

Messrs.	Ferrell	Lee (Barbour)	Reynolds
Adams	Franklin	Lee (Lawrence)	Roberts
Albea	Gist	Locke (Choctaw)	Selman
Bassett	Hain	Love	Simon
Brannan	Haltom	McKay	Solomon
Brewer	Hardy	Merrill	Speaks
Broadfoot	Havrey	Molette	Steagall
Callahan	Hodges	Nettles	Stembridge
Cornett	Hunt	Nice	Stokes
Cox	Jenkins	Nolen	Summerlin
deGraffenried	Kelly	Oakley	Thomas
Dement	Kendall	Payne	Tyson
Dickson	Killough	Pirkle	Vacca
Edwards (Escambia)	Kirkham		

—53

Mr. Meeks offered the following amendment to the bill, H. 797:

#### AMENDMENT TO HOUSE BILL NO. 797

That Title 46 of the 1940 Code of Alabama be and the same is hereby amended as follows: By adding Section 214 at the end of said chapter of Title 46, Code of Alabama, 1940.



Section 214. Nothing in this chapter shall be so construed as to prevent any licensed optometrist from owning or operating an optical ~~department in a store or business establishment or leasing space in a~~ store, business establishment, building or in any location and examining eyes and fitting glasses therein; provided said licensed optometrist shall be in charge of the examining of eyes and whose name shall appear on and in all optometry advertising of whatsoever done by said licensed optometrist. The nature, terms, duration, termination consideration as payment on percentage of volume of business done, conditions of the lease as to store policy concerning employment, wages, credit, hours of work, adjustments or similar matters shall not prevent the licensed optometrist from operating the optical department in the leased space in said store or licensed establishment; providing the lessor store or business establishment shall have no direction or control over the optometrist in charge in the examining of eyes.

On motion of Mr. deGraffenried the amendment offered by Mr. Meeks was laid upon the table.

Mr. Martin offered the following amendment to the bill, H. 797:

#### AMENDMENT TO HOUSE BILL 797

That Title 46 of the 1940 Code of Alabama be and the same is hereby amended as follows:

Section 214. Nothing in this chapter shall be so construed as to prevent any licensed optometrist from owning or operating an optical department in a store or business establishment or leasing space in a store, business establishment, building or in any location and examining eyes and fitting glasses therein; provided said licensed optometrist shall be in charge of the examining of eyes and whose name shall appear on and in all optometry advertising of whatsoever done by said licensed optometrist. The nature, terms, duration, termination consideration as payment on percentage of volume of business done, conditions of the lease as to store policy concerning employment, wages, credit, hours of work, adjustments or similar matters shall not prevent the licensed optometrist from operating the optical department in the leased space in said store or licensed establishment; provided the lessor store or business establishment shall have no direction or control over the optometrist in charge in the examining of eyes.

The motion of Mr. deGraffenried to lay on the table the amendment offered by Mr. Martin was lost.

Yeas 40; Nays 40.

#### Yeas:

Messrs.	Hall	McNider	Selman
Adams	Haltom	Merrill	Simon
Albea	Hardy	Molette	Solomon
Brewer	Havrey	Money	Speaks
Broadfoot	Hodges	Nettles	Steagall
Callahan	Killough	Nolen	Stembridge
Cornett	Kirkham	Oakley	Stokes
Dement	Lee (Lawrence)	Payne	Summerlin
Franklin	Love	Reynolds	Tyson
Gist	McKay	Roberts	Vacca
Hain			

#### Nays:

Mr. Speaker	Bassett	Bradford	Brooks
Ashworth	Boyd	Branyon	Brown (Lamar)

Dawkins	Hare	Lee (Barbour)	Pirkle
DeSear	Harrison	Locke (Choctaw)	Pruitt
Dickson	Holliman	Locke (Perry)	Ramey
Edwards (Escambia)	Hunt	McLendon	Richardson
Edwards (Jefferson)	Jenkins	Martin	Shumate
Faulk	Kaul	Mathews	Thomas
Ferrell	Kendall	Meeks	Ward
Grouby	Lackey	Perry	Windle

—40

And the amendment offered by Mr. Martin was lost.

Yeas 38; Nays 43.

**Yeas:**

Mr. Speaker	Dickson	Lackey	Perry
Ashworth	Edwards (Jefferson)	Lee (Barbour)	Pruitt
Bassett	Faulk	Locke (Perry)	Ramey
Boyd	Grouby	McLendon	Richardson
Bradford	Hall	McNider	Shumate
Branyon	Hare	Martin	Solomon
Brooks	Harrison	Mathews	Thomas
Brown (Lamar)	Holliman	Meeks	Ward
Dawkins	Kaul	Nolen	Windle
DeSear	Kendall		

—38

**Nays:**

Messrs.	Ferrell	Kirkham	Reynolds
Adams	Franklin	Lee (Lawrence)	Roberts
Albea	Gist	Love	Selman
Brannan	Hain	McKay	Simon
Brewer	Haltom	Merrill	Speaks
Broadfoot	Hardy	Molette	Steagall
Callahan	Hodges	Money	Stembridge
Cornett	Hunt	Nettles	Stokes
deGraffenried	Jenkins	Nice	Summerlin
Dement	Kelly	Oakley	Tyson
Edwards (Escambia)	Killough	Payne	Vacca

—43

Mr. Martin offered the following amendment to the bill, H. 797:

**AMENDMENT TO HOUSE BILL NO. 797**

That Chapter 11 of Title 46 of the 1940 Code of Alabama be and the same is hereby amended as follows:

By adding the following section at the end of said Chapter 11 of Title 46, Code of Alabama, 1940:

Sec. 214. Any person, firm or corporation owning, operating or maintaining a store or business establishment who prior to January 1st, 1955 operated or maintained an optical department in such store or business establishment wherein eyes were examined and glasses fitted, shall be entitled to continue hereafter to operate or maintain such optical department in such store or business establishment and to examine eyes and fit glasses therein, in the present or in any changed or different location of such store or business establishment, provided such optical department shall be in charge of a duly licensed optometrist, and that the examination of eyes and the fitting of glasses shall be done by a duly licensed optometrist; and nothing contained in this

~~chapter shall be so construed as to prevent or prohibit the foregoing.~~

Any such store or business establishment shall have the right to advertise in its corporate or business name said optical department and the examination and fitting of glasses therein, provided that the name of the licensed optometrist in charge shall appear in each such advertisement. No optometrist shall be denied a license, nor shall the license of any optometrist be suspended or revoked, by reason of his employment or contemplated employment by such store or business establishment, or by reason of his failure or refusal to state or agree that he will not accept any such employment.

On motion of Mr. deGraffenried the amendment offered by Mr. Martin was laid upon the table.

Yeas 45; Nays 36.

**Yeas:**

Messrs.	Hain	McKay	Selman
Adams	Haltom	Merrill	Simon
Albea	Hardy	Molette	Solomon
Brannan	Havrey	Money	Speaks
Brewer	Hodges	Nettles	Steagall
Broadfoot	Hunt	Nice	Stembridge
Callahan	Jenkins	Oakley	Stokes
Cornett	Killough	Oden	Summerlin
deGraffenried	Kirkham	Payne	Thomas
Dement	Lee (Lawrence)	Reynolds	Tyson
Edwards (Escambia)	Locke (Choctaw)	Roberts	Vacca
Gist	Love		

—45

**Nays:**

Mr. Speaker	Dickson	Kelly	Meeks
Ashworth	Edwards (Jefferson)	Kendall	Nolen
Bassett	Faulk	Lackey	Perry
Boyd	Ferrell	Lee (Barbour)	Pruitt
Bradford	Grouby	Locke (Perry)	Ramey
Branyon	Hall	McLendon	Richardson
Brooks	Harrison	McNider	Shumate
Brown (Lamar)	Holliman	Martin	Ward
Dawkins	Kaul	Mathews	Windle

—36

Mr. Martin offered the following amendment to the bill, H. 797:

**AMENDMENT TO H. B. 797**

That Title 46 of the 1940 Code of Alabama shall be and the same is hereby amended as follows:

Amend Section 210 of said Chapter, Title 46, Code of Alabama so the same shall read as follows:

Nothing in this Chapter shall be construed as to prevent any licensed optometrist from owning or operating an optical department in any store or business establishment wherein said optical department eyes are examined and glasses fitted; provided, that a licensed optometrist shall be in charge of said optical department whose name must appear on and in all optometry advertising of whatsoever nature done by said person, firm or corporation.

On motion of Mr. deGraffenried the amendment offered by Mr. Martin was laid upon the table.

Yeas 48; Nays 38.

**Yeas:**

Messrs.	Haltom	Lee (Lawrence)	Pirkle
Adams	Hardy	Locke (Choctaw)	Reynolds
Albea	Havrey	Love	Roberts
Brannan	Hodges	McKay	Selman
Brewer	Huddleston	Merrill	Simon
Broadfoot	Hunt	Molette	Speaks
Brown (Lee)	Jenkins	Money	Steagall
Dement	Johnson (Elmore)	Nettles	Stembridge
Edwards (Escambia)	Kelly	Nice	Stokes
Franklin	Killough	Oakley	Summerlin
Gist	Kirkham	Oden	Tyson
Gregory	Law	Payne	Vacca
Hain			

—48

**Nays:**

Mr. Speaker	Dickson	Kendall	Perry
Ashworth	Edwards (Jefferson)	Lackey	Pruitt
Bassett	Faulk	Lee (Barbour)	Ramey
Boyd	Ferrell	McLendon	Richardson
Bradford	Goodwyn	McNider	Shumate
Branyon	Grouby	Martin	Taylor
Brooks	Hall	Mathews	Thomas
Brown (Lamar)	Harrison	Meeks	Ward
Cornett	Holliman	Nolen	Windle
Dawkins	Kaul		

—38

Mr. Martin offered the following amendment to the bill, H. 797:

**AMENDMENT TO H. B. 797**

By Amending Section 211 to read as follows:

It shall be unlawful for any person or licensed optometrists engaged in the practice of optometry in this State, to print or cause to be printed, or circulate or cause to be circulated, or cause to be published, by any means whatsoever, any advertisement or circular in which appears any untruthful, impossible, or improbable or misleading statement or statements, or any thing calculated or intended to mislead or deceive the public. Nothing herein shall provide or prohibit a store or business establishment from advertising in its corporate or business name any optical department located in its store or business establishment provided the name of the licensed optometrist in charge shall appear in such advertising and said advertisement shall not be false or misleading.

On motion of Mr. deGraffenried the amendment offered by Mr. Martin was laid upon the table.

Yeas 52; Nays 37.

**Yeas:**

Messrs.	Callahan	Gregory	Hodges
Adams	Cornett	Hain	Huddleston
Albea	deGraffenried	Hall	Hunt
Brannan	Dement	Haltom	Jenkins
Brewer	Edwards (Escambia)	Hanby	Johnson (Elmore)
Broadfoot	Franklin	Hardy	Killough
Brown (Lee)	Gist	Havrey	Kirkham

Law	Money	Pirkle	Steagall
Lee (Lawrence)	Nettles	Reynolds	Stembridge
Locke (Choctaw)	Nice	Roberts	Stokes
Love	Oakley	Selman	Summerlin
McKay	Oden	Simon	Tyson
Merrill	Payne	Speaks	Vacca
Molette			

—52

**Nays:**

Mr. Speaker	Faulk	Lee (Barbour)	Pruitt
Ashworth	Ferrell	Locke (Perry)	Ramey
Bassett	Goodwyn	McLendon	Richardson
Boyd	Grouby	McNider	Shumate
Branyon	Harrison	Martin	Solomon
Brooks	Holliman	Mathews	Taylor
Brown (Lamar)	Kaul	Meeks	Thomas
Dawkins	Kendall	Nolen	Ward
Dickson	Lackey	Perry	Windle
Edwards (Jefferson)			

—37

Mr. Richardson offered the following amendment to the bill, H. 797:

**AMENDMENT TO H. B. 797**

Amend H. B. 797 by adding after the last section of said bill an additional section to read as follows "This Act shall not apply to any county having a population of not more than 20,834 and not less than 20,830 according to the last or any subsequent decennial census."

On motion of Mr. deGraffenried the amendment offered by Mr. Richardson was laid upon the table.

Yeas 53; Nays 33.

**Yeas:**

Messrs.	Gist	Kirkham	Reynolds
Adams	Gregory	Law	Roberts
Albea	Hain	Lee (Barbour)	Selman
Ashworth	Haltom	Lee (Lawrence)	Simon
Brannan	Hanby	Love	Speaks
Brewer	Hardy	McKay	Steagall
Broadfoot	Havrey	Merrill	Stembridge
Brown (Lee)	Hodges	Molette	Stokes
Callahan	Huddleston	Nettles	Summerlin
deGraffenried	Hunt	Nice	Thomas
Dement	Jenkins	Nolen	Tyson
DeSear	Johnson (Elmore)	Oakley	Vacca
Edwards (Escambia)	Kelly	Payne	Ward
Franklin	Killough		

—53

**Nays:**

Mr. Speaker	Dawkins	Harrison	McLendon
Bassett	Dickson	Holliman	McNider
Boyd	Edwards (Jefferson)	Kaul	Martin
Bradford	Faulk	Kendall	Mathews
Branyon	Ferrell	Lackey	Perry
Brooks	Grouby	Locke (Choctaw)	<b>Pruitt</b>
Cornett	Hall	Locke (Perry)	Ramey

Richardson  
Shumate

Solomon

Taylor

Windle

—33

Mr. Martin offered the following amendment to the bill, H. 797:

#### AMENDMENT TO H. B. 797

Amend H. B. 797 by adding after the last section of said bill an additional section to read as follows "This Act shall not apply to any County having a population of not more than 16,600 and not less than 16,900, according to the last or any subsequent decennial census."

On motion of Mr. deGraffenried the amendment offered by Mr. Martin was laid upon the table.

Yeas 51; Nays 36.

#### Yeas:

Messrs.	Gregory	Kirkham	Reynolds
Adams	Hain	Law	Roberts
Albea	Haltom	Lee (Barbour)	Selman
Brannan	Hanby	Lee (Lawrence)	Simon
Brewer	Hardy	Love	Solomon
Broadfoot	Havrey	McKay	Speaks
Brown (Lee)	Hodges	Merrill	Steagall
Callahan	Huddleston	Molette	Stembridge
deGraffenried	Hunt	Nettles	Stokes
Dement	Jenkins	Nice	Summerlin
Edwards (Escambia)	Johnson (Elmore)	Oakley	Thomas
Franklin	Kelly	Payne	Tyson
Gist	Killough	Pirkle	Vacca

—51

#### Nays:

Mr. Speaker	Dawkins	Holliman	Meeks
Ashworth	DeSear	Kaul	Nolen
Bassett	Dickson	Kendall	Perry
Boyd	Edwards (Jefferson)	Lackey	Pruitt
Bradford	Faulk	Locke (Perry)	Ramey
Branyon	Ferrell	McLendon	Richardson
Brooks	Grouby	McNider	Shumate
Brown (Lamar)	Hall	Martin	Taylor
Cornett	Harrison	Mathews	Windle

—36

Messrs. Meeks, Lackey, Perry, Kaul and Edwards (Jefferson) offered the following amendment to the bill, H. 797:

#### AMENDMENT TO H. B. 797

Amend H. B. 797 by adding at the end of the last Section an additional Section as follows:

The provisions of this Act shall not apply to Counties having a population of 400,000 or more according to the last or any subsequent census.

On motion of Mr. deGraffenried the amendment offered by Messrs. Meeks, Lackey, Perry, Kaul and Edwards (Jefferson) was laid upon the table.

Yeas 54; Nays 31.

**Yeas:**

Messrs.	Gregory	Lee (Barbour)	Selman
Adams	Hain	Lee (Lawrence)	Shumate
Albea	Hanby	Locke (Choctaw)	Simon
Bassett	Hardy	Love	Speaks
Brannan	Havrey	McKay	Steagall
Brewer	Hodges	McNider	Stembridge
Broadfoot	Huddleston	Merrill	Stokes
Brown (Lee)	Hunt	Molette	Summerlin
Callahan	Jenkins	Nettles	Taylor
Cornett	Johnson (Elmore)	Nice	Thomas
deGraffenried	Kelly	Oakley	Tyson
Dement	Killough	Payne	Vacca
Franklin	Kirkham	Reynolds	Ward
Gist	Law	Roberts	

—54

**Nays:**

Mr. Speaker	Dickson	Holliman	Nolen
Ashworth	Edwards (Jefferson)	Kaul	Perry
Boyd	Faulk	Lackey	Pruitt
Bradford	Ferrell	Locke (Perry)	Ramey
Branyon	Grouby	McLendon	Richardson
Brooks	Hall	Martin	Solomon
Brown (Lamar)	Haltom	Mathews	Windle
DeSear	Harrison	Meeks	

—31

And said bill, H. 797, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 25.

**Yeas:**

Messrs.	Gist	Law	Pirkle
Adams	Gregory	Lee (Barbour)	Reynolds
Albea	Hain	Lee (Lawrence)	Roberts
Brannan	Haltom	Locke (Choctaw)	Selman
Branyon	Hanby	Love	Simon
Brewer	Hardy	McClendon	Solomon
Broadfoot	Havrey	McKay	Speaks
Brown (Lee)	Hodges	McNider	Steagall
Callahan	Huddleston	Merrill	Stembridge
Cornett	Hunt	Molette	Stokes
Cox	Jenkins	Money	Summerlin
deGraffenried	Johnson (Elmore)	Nettles	Taylor
Dement	Kelly	Nice	Thomas
Dickson	Kendall	Nolen	Tyson
Edwards (Escambia)	Killough	Oakley	Vacca
Franklin	Kirkham	Payne	

—62

**Nays:**

Mr. Speaker	Bradford	Edwards (Jefferson)	Harrison
Ashworth	Brooks	Ferrell	Holliman
Bassett	Brown (Lamar)	Grouby	Kaul
Boyd	Dawkins	Hall	Lackey

McLendon  
Martin  
Mathews

Meeks  
Perry

Pruitt  
Ramey

Richardson  
Ward

—25

### MOTION TO RECONSIDER TABLED

On motion of Mr. deGraffenried, his motion to reconsider the vote by which the bill, H. 797, was passed, was laid upon the table.

And the bill:

H. 814. To designate the first week in October of each year as "EMPLOY THE PHYSICALLY HANDICAPPED WEEK"; to create the Governor's Committee for the Employment of the Physically Handicapped; to provide for its organization and the employment and compensation of its personnel; and to make appropriations for its expenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 8.

#### Yeas:

Mr. Speaker	deGraffenried	Jenkins	Nice
Adams	Dement	Johnson (Elmore)	Nolen
Albea	Edwards (Escambia)	Kelly	Payne
Ashworth	Faulk	Kendall	Pirkle
Bassett	Ferrell	Law	Ramey
Boyd	Franklin	Lee (Barbour)	Reynolds
Bradford	Gist	Locke (Choctaw)	Selman
Brannan	Gregory	Locke (Perry)	Speaks
Branyon	Grouby	Love	Steagall
Broadfoot	Hain	McLendon	Stembridge
Brooks	Hall	McKay	Stokes
Brown (Lamar)	Haltom	McLendon	Summerlin
Brown (Lee)	Hanby	McNider	Taylor
Callahan	Hardy	Mathison	Thomas
Cornett	Harrison	Merrill	Vacca
Cox	Holliman	Molette	Ward
Dawkins	Hunt	Nettles	

—67

#### Nays:

Messrs.	Kirkham	Pruitt	Roberts
Brewer	Oakley	Richardson	Solomon
Kaul			

—8

And the bill:

H. 1006. To provide for the taking of depositions of witnesses or parties upon oral examination for discovery of for use as evidence; to prescribe the scope of the examination, use of such depositions, effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; and to prescribe penalties for the failure of such person to appear for such examination.

Was taken up.

Mr. deGraffenried offered the following amendment to the bill, H. 1006:



## AMENDMENT TO H. B. NO. 1006

~~Amend Subsection (d) of Section 4 of H. B. No. 1006 by striking the word "and" from the second line thereof.~~

Further amend said bill by striking the word "defendant" and inserting in lieu thereof the word "plaintiff" in line 25 of Section 17 and by striking the word "plaintiff" and inserting in lieu thereof the word "defendant" in line 25 of Section 17.

And the amendment was adopted.

Yeas 77; Nays 0.

**Yeas:**

Mr. Speaker	Edwards <sup>(Escambia)</sup>	Johnson <sup>(Elmore)</sup>	Nolen
Adams	Edwards <sup>(Jefferson)</sup>	Killough	Oden
Albea	Faulk	Kirkham	Payne
Ashworth	Ferrell	Lackey	Ramey
Bassett	Franklin	Law	Reynolds
Boyd	Gist	Lee <sup>(Barbour)</sup>	Richardson
Bradford	Gregory	Lee <sup>(Lawrence)</sup>	Roberts
Brannan	Grouby	Locke <sup>(Choctaw)</sup>	Selman
Brassell	Hain	Locke <sup>(Perry)</sup>	Simon
Brewer	Hall	Love	Solomon
Broadfoot	Haltom	McClendon	Speaks
Brooks	Hanby	McKay	Steagall
Brown <sup>(Lamar)</sup>	Hardy	McLendon	Stembridge
Brown <sup>(Lee)</sup>	Harrison	McNider	Summerlin
Callahan	Hodges	Martin	Taylor
Cornett	Holliman	Mathews	Thomas
Cox	Huddleston	Merrill	Tyson
deGraffenried	Hunt	Molette	Vacca
Dement	Jenkins	Nice	Wood
Dickson			

—77

And said bill, H. 1006, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 47; Nays 45.

**Yeas:**

Mr. Speaker	deGraffenried	Johnson <sup>(Elmore)</sup>	Selman
Albea	Dement	Kendall	Shumate
Ashworth	Edwards <sup>(Escambia)</sup>	Law	Simon
Brannan	Gist	Lee <sup>(Lawrence)</sup>	Speaks
Branyon	Goodwyn	Meeks	Steagall
Brassell	Hain	Merrill	Stembridge
Brewer	Hall	Molette	Stokes
Broadfoot	Haltom	Nice	Summerlin
Brown <sup>(Lamar)</sup>	Hardy	Nolen	Tyson
Brown <sup>(Lee)</sup>	Hare	Perry	Vacca
Callahan	Hodges	Reynolds	Ward
Dawkins	Huddleston	Roberts	

—47

**Nays:**

Messrs.	Boyd	Brooks	Cox
Bassett	Bradford	Cornett	DeSear

Dickson	Hunt	McClendon	Pirkle
Edwards (Jefferson)	Jenkins	McKay	Pruitt
Faulk	Kaul	McLendon	Ramey
Ferrell	Killough	McNider	Richardson
Franklin	Kirkham	Martin	Solomon
Gregory	Lackey	Mathews	Taylor
Grouby	Lee (Barbour)	Nettles	Thomas
Hanby	Locke (Choctaw)	Oakley	Windle
Harrison	Locke (Perry)	Payne	Wood
Holliman	Love		

—45

## MOTION TO ADJOURN LOST

The motion of Mr. Faulk to adjourn until Tuesday, August 30, 1955, at eleven o'clock A. M. was lost.

Yeas 33; Nays 52.

## Yeas:

Messrs.	Hall	Martin	Ramey
Bradford	Holliman	Mathews	Richardson
Brassell	Kaul	Meeks	Solomon
Brooks	Killough	Nettles	Steagall
Brown (Lee)	Kirkham	Oakley	Stembridge
Cox	Lackey	Perry	Stokes
DeSear	Locke (Choctaw)	Pirkle	Taylor
Edwards (Escambia)	Locke (Perry)	Pruitt	Thomas
Faulk	McNider		

—33

## Nays:

Mr. Speaker	deGraffenried	Hodges	Merrii
Adams	Dement	Huddleston	Molette
Albea	Ferrell	Hunt	Nolen
Ashworth	Franklin	Jenkins	Payne
Bassett	Gist	Johnson (Elmore)	Reynolds
Boyd	Goodwyn	Kendall	Roberts
Brannan	Gregory	Law	Selman
Branyon	Hain	Lee (Barbour)	Shumate
Brewer	Haltom	Lee (Lawrence)	Simon
Broadfoot	Hanby	Love	Speaks
Brown (Lamar)	Hardy	McClendon	Summerlin
Callahan	Hare	McKay	Vacca
Cornett	Harrison	McLendon	Wood

—52

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions to-wit:

H. J. R. 74. Relative to empowering the Clerk of the House to appoint an electrical roll call operator and an additional Assistant Clerk.

Also:

H. J. R. 76. Relative to the State Board of Education locating one of the additional state vocational trade schools in the City of Montgomery.

And finds same correctly enrolled

RANKIN FITE,  
Chairman.

#### SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 21. To make an appropriation for the support and maintenance of Walker County Junior College.

Also:

S. 188. To regulate further the office of circuit solicitor of the Fourth Judicial Circuit of Alabama: Creating a solicitor's fund for the use of the circuit solicitor.

Also:

S. 355. Relating to Macon County: To authorize and empower the county board of education of Macon County to discharge, with or without cause, and with or without notice or hearing, any teacher in the public school system on continuing service status, notwithstanding the provisions of the general law relating to the tenure and employment of teachers.

Also:

S. 266. To amend further Section 7 of Title 60, Code of Alabama (1940), which relates to the widows of Confederate veterans who are entitled to pensions.

Also:

S. 316. To make an appropriation for the promotion and advertisement of Alabama through sponsorship of the Blue and Gray Football Game.

J. E. SPEIGHT,  
Secretary.

#### SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

#### BILLS ON THIRD READING RESUMED

H. 688. To amend Section 2 of Act No. 669, General Acts of Alabama of 1939 and generally called the Alabama Motor Carrier Act, General Acts of Alabama 1939, Page 1066 et seq., approved July 5, 1940, and said Act as amended, by providing that the exemption contained in Subsection A (3), of Section 2 of said Act, supra, relating to motor ve-

hicles while used in the transportation of property when the person furnishing the transportation is legally and regularly engaged in the business of selling such property, and is the owner and has the legal title to the motor vehicle involved.

Was taken up.

Messrs. Ramey and Richardson offered the following amendment to the bill, H. 688:

#### AMENDMENT TO H. B. NO. 688

Amend H. B. No. 688 by inserting after the semicolon following the word "miles" in line 3 on page 2 and before the word "except" the following: "and motor vehicles used exclusively in the transportation of milk in thermal or artificially cooled bodies or containers;"

And the amendment was adopted.

Yeas 62; Nays 0.

#### Yeas:

Mr. Speaker	Franklin	Lee (Barbour)	Pirkle
Adams	Gist	Lee (Lawrence)	Pruitt
Ashworth	Goodwyn	Locke (Perry)	Ramey
Bassett	Hain	Love	Reynolds
Boyd	Hall	McClendon	Richardson
Bradford	Haltom	McKay	Simon
Brannan	Hanby	McLendon	Solomon
Brassell	Hardy	McNider	Speaks
Brewer	Hare	Martin	Summerlin
Broadfoot	Holliman	Molette	Taylor
Cornett	Hunt	Nettles	Thomas
Dawkins	Kendall	Nolen	Tyson
DeSear	Killough	Oakley	Vacca
Edwards (Escambia)	Kirkham	Payne	Ward
Edwards (Jefferson)	Lackey	Perry	Windle
Ferrell	Law		

—62

And said bill, H. 688, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 4.

#### Yeas:

Messrs.	Ferrell	Jenkins	Mathews
Adams	Franklin	Kendall	Meeks
Bassett	Gist	Killough	Molette
Boyd	Goodwyn	Kirkham	Nettles
Bradford	Gregory	Law	Nice
Brannan	Hain	Lee (Barbour)	Nolen
Brassell	Hall	Lee (Lawrence)	Oakley
Brewer	Haltom	Locke (Perry)	Payne
Broadfoot	Hanby	Love	Perry
Brooks	Hardy	McClendon	Pirkle
Brown (Lee)	Hare	McKay	Pruitt
Cornett	Holliman	McLendon	Ramey
Dawkins	Huddleston	McNider	Reynolds
Edwards (Escambia)	Hunt	Martin	Richardson

Selman	Steagall	Thomas	Ward
<del>Shumate</del>	<del>Stembridge</del>	<del>Tyson</del>	<del>Windle</del>
Simon	Summerlin	Vacca	Wood
Speaks			

—68

**Nays:** Mr. Speaker, Callahan, deGraffenried and Solomon.

—4

And the bill:

H. 347. To amend Section 40, Title 8, of the 1940 Code of Alabama pertaining to non-resident trip fishing licenses.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 47; Nays 20.

**Yeas:**

Messrs.	Gist	Lackey	Oakley
Bassett	Gregory	Law	Payne
Boyd	Grouby	Lee (Barbour)	Reynolds
Bradford	Hain	Love	Selman
Brannan	Hall	McClendon	Speaks
Branyon	Hardy	McKay	Stembridge
Brassell	Holliman	McLendon	Summerlin
Broadfoot	Huddleston	McNider	Taylor
Brown (Lamar)	Hunt	Meeks	Thomas
Dawkins	Kendall	Molette	Vacca
Dement	Killough	Nettles	Windle
Edwards (Escambia)	Kirkham	Nolen	Wood

—47

**Nays:**

Messrs.	Callahan	Haltom	Perry
Adams	deGraffenried	Havrey	Pruitt
Albea	DeSear	Lee (Lawrence)	Richardson
Ashworth	Ferrell	Locke (Choctaw)	Simon
Brewer	Franklin	Locke (Perry)	Tyson
Brown (Lee)			

—20

### MOTION TO ADJOURN LOST

The motion of Mr. Faulk to adjourn until Tuesday, August 30, 1955, at eleven o'clock A. M. was lost.

Yeas 29; Nays 40.

**Yeas:**

Messrs.	Edwards (Escambia)	Kirkham	Pruitt
Bradford	Edwards (Jefferson)	Lackey	Richardson
Brooks	Faulk	McNider	Simon
Brown (Lee)	Gist	Mathews	Solomon
Cornett	Grouby	Money	Ward
Cox	Hall	Oakley	Windle
DeSear	Holliman	Perry	Wood
Dickson	Kaul		

—29

**Nays:**

Mr. Speaker	Albea	Boyd	Branyon
Adams	Bassett	Brannan	Broadfoot

Brown (Lamar)	Haltom	Lee (Lawrence)	Nolen
Callahan	Hanby	Locke (Choctaw)	Payne
Dawkins	Hardy	McClendon	Reynolds
deGraffenried	Harrison	McKay	Roberts
Dement	Hodges	Meeks	Selman
Franklin	Huddleston	Merrill	Steagall
Gregory	Jenkins	Nettles	Stembridge
Hain	Law	Nice	Vacca

—40

## HOUSE BILLS INDEFINITELY POSTPONED

The motion of Mr. Meeks to indefinitely postpone all House Bills remaining on the Calendar when the House adjourns today was adopted.

## MOTION TO ADJOURN LOST

The motion of Mr. Simon to adjourn until Tuesday, August 30, 1955, at ten o'clock A. M. was lost.

Yeas 25; Nays 34.

## Yeas:

Messrs.	Edwards (Escambia)	Kirkham	Money
Ashworth	Edwards (Jefferson)	Lackey	Perry
Bradford	Faulk	Love	Richardson
Brooks	Gist	McNider	Simon
Cox	Hall	Meeks	Solomon
DeSear	Holliman	Molette	Wood
Dickson	Kaul		

—25

## Nays:

Mr. Speaker	Dement	Hodges	Nettles
Adams	Franklin	Huddleston	Nice
Bassett	Gregory	Hunt	Nolen
Boyd	Grouby	Kendall	Oakley
Branyon	Hain	Lee (Lawrence)	Payne
Broadfoot	Haltom	Locke (Choctaw)	Reynolds
Callahan	Hanby	McClendon	Summerlin
Dawkins	Hardy	McKay	Vacca
deGraffenried	Harrison		

—34

## BILLS ON THIRD READING RESUMED

H. 192. Exempting from ad valorem taxation all non-producing interests upon oil, gas and other minerals, as herein defined, and also non-producing severed mineral and royalty interests therein, herein-after created or transferred or hereafter registered, and also levying a county mineral documentary tax or transfer fee to be paid upon leases and instruments creating and transferring severed interests in non-producing oil, gas or other minerals, as herein defined.

Was taken up.

The motion of Mr. Meeks to indefinitely postpone the bill, H. 192, was lost.

Yeas 26; Nays 45.

## Yeas:

Messrs.	Albea	Boyd	Cornett
Adams	Ashworth	Broadfoot	Dawkins

Dement	Hall	Lee (Barbour)	Richardson
Edwards (Escambia)	Haltom	McKay	Selman
Edwards (Jefferson)	Hodges	Nolen	Shumate
Gist	Kaul	Perry	Speaks
Gregory	Law	Pruitt	

—26

**Nays:**

Mr. Speaker	Dickson	Kendall	Pirkle
Bassett	Faulk	Kirkham	Reynolds
Bradford	Franklin	Lee (Lawrence)	Simon
Brannan	Grouby	Locke (Choctaw)	Solomon
Branyon	Hain	Locke (Perry)	Steagall
Brassell	Hanby	Love	Stembridge
Brown (Lamar)	Hardy	McLendon	Stokes
Brown (Lee)	Holliman	McNider	Summerlin
Callahan	Hunt	Nettles	Thomas
Cox	Jenkins	Oakley	Windle
deGraffenried	Kelly	Oden	Wood
DeSear			

—45

And said bill, H. 192, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 27.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kirkham	Pirkle
Bassett	Faulk	Locke (Choctaw)	Reynolds
Bradford	Franklin	Locke (Perry)	Simon
Brannan	Gregory	Love	Solomon
Branyon	Grouby	McClendon	Steagall
Brassell	Hain	McLendon	Stembridge
Brooks	Hanby	McNider	Stokes
Brown (Lamar)	Hardy	Martin	Summerlin
Brown (Lee)	Harrison	Molette	Thomas
Callahan	Holliman	Nettles	Tyson
Cox	Hunt	Oakley	Ward
deGraffenried	Jenkins	Oden	Windle
DeSear	Kelly	Payne	Wood
Dickson	Kendall		

—54

**Nays:**

Messrs.	Dement	Kaul	Nolen
Albea	Edwards (Jefferson)	Law	Perry
Ashworth	Ferrell	Lee (Barbour)	Pruitt
Boyd	Gist	Lee (Lawrence)	Richardson
Broadfoot	Hall	McKay	Selman
Cornett	Haltom	Meeks	Shumate
Dawkins	Hodges	Nice	Speaks

—27

**MOTION LOST**

The motion of Mr. Stokes to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 649, was lost.

Yeas 37; Nays 31.

**Yeas:**

Mr. Speaker	Bassett	Brannan	Broadfoot
Albea	Boyd	Brassell	Brooks

Callahan	Haltom	Kendall	Nettles
Cornett	Hanby	Lackey	Nolen
deGraffenried	Hare	Lee (Barbour)	Oakley
Edwards (Escambia)	Harrison	Locke (Perry)	Payne
Faulk	Hodges	Love	Reynolds
Gist	Holliman	McLendon	Summerlin
Goodwyn	Hunt	Mathews	Thomas
Grouby			

—37

**Nays:**

Messrs.	Dement	Kirkham	Perry
Adams	DeSear	Law	Richardson
Ashworth	Ferrell	Lee (Lawrence)	Selman
Bradford	Franklin	McClendon	Shumate
Branyon	Gregory	McKay	Simon
Brewer	Jenkins	McNider	Solomon
Brown (Lamar)	Kaul	Merrill	Tyson
Dawkins	Kelly	Nice	Wood

—31

**MOTION LOST**

The motion of Mr. Stokes to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 793, was lost.

Yeas 58; Nays 19.

**Yeas:**

Mr. Speaker	deGraffenried	Hunt	Molette
Albea	Dement	Jenkins	Nettles
Ashworth	Edwards (Escambia)	Kelly	Nolen
Bassett	Faulk	Kendall	Oakley
Boyd	Ferrell	Law	Pirkle
Bradford	Franklin	Lee (Barbour)	Pruitt
Brannan	Goodwyn	Lee (Lawrence)	Selman
Branyon	Grouby	Locke (Choctaw)	Solomon
Brassell	Hain	Locke (Perry)	Speaks
Brewer	Haltom	McClendon	Steagall
Broadfoot	Hanby	McLendon	Stokes
Brooks	Hardy	McNider	Summerlin
Brown (Lamar)	Hare	Martin	Thomas
Callahan	Harrison	Mathews	Wood
Cornett	Hodges		

—58

**Nays:**

Messrs.	Holliman	Merrill	Shumate
Dawkins	Kaul	Nice	Simon
Dickson	Kirkham	Payne	Tyson
Gist	Love	Perry	Ward
Gregory	McKay	Richardson	Windle

—19

**MESSAGE FROM THE SENATE****Mr. Speaker:**

The Senate has passed the following House bill and returns same herewith to the House:



~~H. 876. Relating to Etowah County: To abolish the present Board~~  
of Revenue of Etowah County, Alabama, and to create the Etowah County Board of Revenue in lieu thereof; to provide for the election and terms of office of the President and four Associate Members, and the districts in which the Associate Members must reside and be a qualified elector, to provide for the jurisdiction of the Board, the duties of the President and Associate Members, supervision of roads and bridges for the county, public meetings of the Board, the salaries of the President and Associate Members, the repeal of laws in conflict herewith and the effective date hereof.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Robison:

S. 363. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced at the 1955 regular session of the Legislature of Alabama and application for its passage and enactment will be made.

#### A BILL TO BE ENTITLED AN ACT

To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Montgomery, in the County of Montgomery, and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery and included in the following boundaries, to-wit:

Commencing at the Southeast corner, Sec. 9, T16N, R18E, Montgomery County, Alabama, thence North along the East line of said Sec. 9, a distance of 1632.5 feet to a point, said point being the point of beginning and, also, Southeast corner of the Plat of Forest Hills, Plat No. 1, thence West along the South boundary of the plate of Forest Hills, Plat Nos. 1, 2 and 3, and Westerly along the extension of the South boundary of the said Plats 1, 2 and 3 of Forest Hills, to the half section line running North and South through the center of Sec. 9, T16N, R18E, thence North along said half section line running North and South through the center of Sec. 9, T16N, R18E, to the Northwest corner of the Southeast quarter of Sec. 9, T16N, R18E, thence East along the half section line running East and West through the center of Sec. 9,

T16N, R18E to the East line of Sec. 9, T16N, R18E, thence South along the East line of Sec. 9, T16N, R18E, to the point of beginning.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective October 1, 1955.

THE STATE OF ALABAMA  
COUNTY OF MONTGOMERY

Before me, I. B. Smith, a Notary Public, in and for said County and State personally appeared P. W. Walsh for Advertising Manager "The Advertiser Company", publishers of The Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama, who deposes and says that the foregoing and attached is a true copy of a "Legal Notice" which appeared in the regular editions of the said newspaper published in said City and County of Montgomery on the following dates: July 23, July 30, August 6 and August 13, 1955.

P. W. WALSH.

Sworn to and subscribed before me this 16 day of August, 1955.

I. B. SMITH,  
Notary Public.

Also:

By Mr. Robison:

S. 364. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced at the 1955 regular session of the Legislature of Alabama and application for its passage and enactment will be made.

A BILL  
TO BE ENTITLED  
AN ACT

To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Montgomery, in the County of Montgomery, and State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery and included in the following boundaries, to-wit: Commence at the northeast corner of the southeast quarter of the southwest quarter of Section 25, Township 16 north, Range 17 east, which point is the intersection of the Montgomery City Limit and the center line of Cleveland Avenue, and also the point of beginning; thence travel west along the Montgomery City limit line to the intersection of the west boundary of the Atlantic Coastline Railroad right-of-way; thence southeasterly along the west boundary of the Atlantic Coastline Railroad right-of-way to the intersection of the north boundary of the Southern Bypass; thence east along the north boundary of the Southern

Bypass to the intersection of the center line of Cleveland Avenue which line is also a Montgomery City limit boundary; thence north along said centerline of Cleveland Avenue back to the point of beginning.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This act shall become effective October 1, 1955.

STATE OF ALABAMA  
MONTGOMERY COUNTY

Before me, T. A. Hardy, a Notary Public in and for the State and County aforesaid, personally appeared P. W. Walsh, who first being duly sworn according to law, deposes and says that: he is Secretary for The Advertiser Company, publishers of The Montgomery Advertiser and The Alabama Journal and that the advertisement of Capell, Howard & Cobbs appeared in said publication on July 20, 27, August 3, 10, 1955 and there is now due on said account the sum of \$..... which is due, just and unpaid and that no part of said account has been paid except as herein specified.

P. W. WALSH.

Sworn to and subscribed before me this 11 day of August, 1955.

T. A. HARDY,  
Notary Public Montgomery County Alabama.

My commission expires.....

Also:

By Mr. Yarbrough (Randolph):

S. 368. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA,  
COUNTY OF CHAMBERS.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The clerk of the circuit court of Chambers County, Alabama, is hereby authorized and empowered to employ a deputy, if in his judgment that is necessary to the proper functioning of his office, such deputy to serve at the will and pleasure of the clerk, who shall fix his compensation at not less than fifteen hundred nor more than twenty-four hundred dollars per annum. The compensation of said deputy so appointed shall be paid out of the general fund of Chambers County, in equal monthly installments, on warrants drawn by the court of county commissioners, board of revenue, or like governing body of the county.

Section 2. The deputy appointed by the circuit clerk shall have full power to transact all business of the clerk in his capacity as clerk and register of the circuit court, after first taking an oath to support the Constitution and laws of this State.

Section 3. Act No. 30, H. 160, approved June 27, 1947, which provided for a clerk in the office of the circuit clerk of Chambers County (Local Acts of 1947, p. 24), as amended by Act No. 279, H. 800, approved July 22, 1949 (Acts of 1949, p. 404) is hereby expressly repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Also:

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared **Bonnie Hand, who, being by me first duly sworn**, deposes and says that during the times herein mentioned he was Publisher of the La Fayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 27, August 3, August 10, and August 17, all in the year 1955.

**BONNIE HAND.**

Sworn to and subscribed before me August 18, 1955.

**E. M. SCHUESSLER,**  
Notary Public, Chambers County, Alabama.

Also:

By Mr. Jones:

S. 370. To provide that no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Baldwin County shall have or exercise police jurisdiction within Baldwin County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Baldwin County or over or on any person in Baldwin County or property of business in Baldwin County; nor shall any such municipality levy, fix or collect any licenses for any business, trade or profession done in Baldwin County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Baldwin County;

With notice and proof thereto attached and herewith exhibited as follows:

## NOTICE OF LOCAL BILL

Notice is hereby given that there will be introduced in and passage thereof sought by the 1955 Legislature of Alabama of a bill relating to Baldwin County substantially and in substance as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To provide that no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Baldwin County shall have or exercise police jurisdiction within Baldwin County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Baldwin County or over or on any person in Baldwin County or property or business in Baldwin County; nor shall any such municipality levy, fix or collect any licenses for any business, trade or profession done in Baldwin County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Baldwin County;

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Baldwin County shall have or exercise police jurisdiction within Baldwin County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Baldwin County or over or on any person in Baldwin County or property or business in Baldwin County; nor shall any such municipality levy, fix or collect any licenses for any business, trade or profession done in Baldwin County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Baldwin County.

Section 2. This Act shall become operative thirty days after its passage and approval or its otherwise becoming a law.

Section 3. All laws local, general and special in conflict herewith are expressly repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declarations shall not affect the part which remains.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
BALDWIN COUNTY

Jo Ann Flirt being duly sworn, deposes and says that she is the Associate Editor of The Foley Onlooker, a Weekly Newspaper published at Foley, Baldwin County, Alabama, that the notice hereto attached of A Local Bill was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication July 28, 1955

Date of 2nd publication August 4, 1955

Date of 3rd publication August 11, 1955

Date of 4th publication August 18, 1955

JO ANN FLIRT,  
Associate Editor, The Foley Onlooker,  
Foley, Alabama.

Subscribed and sworn to before me this 18th day of Aug., 1955.

G. MacHUMPHRIES,  
Notary Public.

Also:

By Mr. Flowers:

S. 372. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that there will be introduced for passage at the present session of the Legislature of Alabama a local bill providing in substance as follows:

#### A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act

No. 160 approved June 29, 1951, entitled an Act: "~~To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation, and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect,~~" be and the same is hereby amended so as to read as follows: Section 1. That the Sheriff of Houston County, Alabama shall receive and be paid an annual salary of Fifty Four Hundred (\$5400) Dollars, in lieu of other compensation, fees and emoluments, except as otherwise hereinafter provided for in this Act. The said Sheriff shall be allowed the sum of Twenty Thousand and Five Hundred (\$20,500) Dollars per annum for help and assistants as follows: One Chief deputy at Three Thousand Three Hundred (\$3,300) Dollars per annum; Three deputies at Two Thousand Seven Hundred (\$2,700) Dollars each per annum; Three deputies who shall also serve as jailers at Two Thousand One Hundred (\$2,100) Dollars each per annum; and one bookkeeper-deputy at Twenty-Four Hundred (\$2,400) Dollars per annum. The Sheriff of Houston County shall further be allowed his necessary expenses in apprehending and returning prisoners from other States, up to and including four hundred (\$400) dollars per annum, said expense money to be paid on requisition filed with and approved by the Board of Revenue of Houston County, Alabama. All payments as provided for in this Act shall be paid out of the general funds of Houston County, in equal monthly installments at the end of each month, upon separate warrants drawn in the same manner as employees of Houston County are paid. The selection and appointment of said deputies, jailers and bookkeeper shall be made by the Sheriff of Houston County, and they shall serve only at his pleasure.

SECTION 2. All laws or parts of laws in conflict herewith are hereby expressly repealed.

SECTION 3. This Act shall become effective on October 1, 1955 after its passage and approval by the Governor.

#### STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Nat C. Faulk, who is known to me and who, being by me first duly sworn, deposes and says: That he is Executive Editor of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: July 27, Aug. 3, 10, 16, 1955; in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

NAT C. FAULK.

Sworn to and subscribed before me on this 16th day of August, 1955.

JOHN D. HENDERSON,  
Notary Public.

Also:

By Mr. Metcalf:

S. 375. To provide for the selection and qualifications of the County superintendent of education of Geneva County, and for the filling of vacancies in that office.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

STATE OF ALABAMA,  
COUNTY OF GENEVA.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To provide for the selection and qualifications of the county superintendent of education of Geneva County, and for the filling of vacancies in that office.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The county superintendent of education of Geneva County shall be elected by the qualified electors of Geneva County at the first election of county officers held after the operative date of this Act and every four years thereafter. He shall hold office for a term of four years from the first day of July next succeeding his election and until his successor is elected and qualified. The incumbent county superintendent of education of Geneva County shall continue to serve until his successor is elected and qualified under the provisions of this Act. Vacancies in the office of county superintendent of education of Geneva County shall be filled for the unexpired term by appointment of the county board of education of Geneva County.

Section 2. The county superintendent of education of Geneva County shall possess all the qualifications prescribed for county superintendents of education by the general laws of the State.

Section 3. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of Geneva County voting in a referendum to be held on the first Tuesday following the expiration of three months after the final adjournment of the 1955 regular session of the Legislature. The court of county commissioners, board of revenue, or like governing body of Geneva County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election, the question shall be stated substantially as follows: "Shall the provisions of Act No. .... of the 1955 regular session of the Legislature, approved the ..... day of ....., 1955, which provides that the county superintendent of education of Geneva County shall be elected, be adopted? Yes ( ) No ( )." If a majority of the votes cast in the election are "Yes," the provisions of this Act shall become effective immediately. If a majority are "No," this Act shall have no effect. The judge of pro-



bate of Geneva County shall certify the results of the election to the ~~Secretary of State~~

## CERTIFICATE OF PUBLICATION

STATE OF ALABAMA  
GENEVA COUNTY

I, Joel P. Smith, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala., do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of 4 consecutive weeks, commencing July 28, 1955, and ending Aug. 18, 1955.

Witness my hand this 18 day of August, 1955.

JOEL P. SMITH.

Sworn to and subscribed before me this 18 day of Aug., 1955.

WILLIAM J. HOLLEY,  
Notary Public.

Also:

By Mr. Metcalf:

S. 376. To abolish the county board of education of Geneva County, as presently constituted, and to create in lieu thereof a county board of education to consist of seven members; prescribing the qualifications and terms of the members of the board of education; and providing for the manner of their selection.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

STATE OF ALABAMA,  
COUNTY OF GENEVA.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To abolish the county board of education of Geneva County, as presently constituted, and to create in lieu thereof a county board of education to consist of seven members; prescribing the qualifications and terms of the members of the board of education; and providing for the manner of their selection.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The county board of education of Geneva County as presently constituted is abolished and there is hereby created and established in lieu thereof a county board of education for Geneva County, which shall consist of seven members. One member of the board shall be elected for, be a qualified elector of, and shall reside in each of the municipalities of Samson, Geneva, Hartford, and Slocomb. The three remaining members of the board must be qualified electors of Geneva County, and may reside at any place in Geneva County, outside the corporate limits of the municipalities of Samson, Geneva, Hartford, and Slocomb. The members of the board shall be elected by the qualified electors of the county-at-large. The members of the board shall elect a chairman from among their number. Members of the board shall be persons of good moral character, with at least a fair elementary

education, of good standing in their respective communities, and known for their honesty, business ability, public spirit, and interest in the good of public education. No member of the county board of education shall be an employee of the board.

Section 2. Immediately upon the operative date of this Act, the Governor shall appoint seven persons, properly qualified under Section 1 of this Act, who shall hold office as members of the county board of education until their successors are elected and qualified as herein provided. Three of such persons shall be appointed to serve until the first Monday after the second Tuesday in January, 1957; two of such persons shall be appointed to serve until the first Monday after the second Tuesday in January, 1959; and two of such persons shall be appointed to serve until the first Monday after the second Tuesday in January, 1961. The Governor shall designate the terms for which such persons shall serve at the time of making the appointment. Three members of the board shall be elected at the general election in November, 1956, and every six years thereafter; two members shall be elected at the general election in November, 1958 and every six years thereafter; and two members shall be elected at the general election in November, 1960, and every six years thereafter. Members of the county board of education elected under this Act shall take office on the first Monday after the second Tuesday in January next following their election, and shall serve for terms of six years, and until their members are elected and qualified. The incumbent members of the county board of education of Geneva County shall continue to serve until their successors are appointed and take office as provided herein.

Section 3. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of Geneva County voting in a referendum to be held on the first Tuesday following the expiration of three months after the final adjournment of the 1955 regular session of the legislature. The court of county commissioners, board of revenue, or like governing body of Geneva County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election, the question shall be stated substantially as follows: "Shall the provisions of Act No. ...., of the 1955 regular session of the Legislature, approved the ..... day of ....., 1955, which make certain changes in the board of education of Geneva County, be adopted? Yes ( ) No ( )." If a majority of the votes cast in the election are "Yes," the provisions of this Act shall become effective immediately. If the majority are "No," this Act shall have no effect. The judge of probate of Geneva County shall certify the results of the referendum to the Secretary of State.

#### CERTIFICATE OF PUBLICATION

##### STATE OF ALABAMA GENEVA COUNTY

I, Joel P. Smith, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala., do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of 4 consecutive weeks, commencing July 28, 1955, and ending Aug. 18, 1955.

Witness my hand this 18 day of August, 1955.

JOEL P. SMITH.

Sworn to and subscribed before me this 18 day of Aug., 1955.

WILLIAM J. HOLLEY,  
Notary Public.

Also:

By Mr. Allen:

S. 359. To extend and enlarge the boundaries of the corporate limits of the City of Cullman, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICES

#### STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To extend and enlarge the boundaries of the Corporate limits of the City of Cullman, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Corporate Limits of the City of Cullman, Alabama be, and the same are hereby, extended so as to include the following described real estate:

Beginning at a point on the present corporate limits of the City of Cullman, where the Dripping Springs Road intersects the West line of Section 9, Township 10, Range 3, West, thence North along the said Section line to the Southwest corner of the Northwest quarter of the Northwest quarter, Section 9, Township 10, Range 3, West; thence East along the South line of the North-half of the Northwest quarter of said Section 9 to the Southeast corner of the Northeast quarter of the Northwest quarter of Section 9, Township 10, Range 3, West; thence North along the East line of the Northeast quarter of the Northwest quarter to the Northeast corner of the Northeast quarter of the Northwest quarter of Section 9, Township 10, Range 3, thence West along the Section line to the Southwest corner of Section 4, Township 10, Range 3, West; thence North along the Section line to the Southwest corner of the Northwest quarter of the Northwest quarter of Section 4, Township 10, Range 3, West; thence East along the Section line of the North-half of the North-half of Section 4, Township 10, Range 3, West to the center line of U. S. Highway 31; thence Southwardly along the center line of U. S. Highway 31 to a point 161 feet South of the point where South line of the Northwest quarter of the Southeast quarter of Section 4 intersects the center line of U. S. Highway 31; thence East and parallel with the South line of the Northwest quarter of the Southeast quarter of Section 4, Township 10, Range 3, West to the West boundary line of the L & N Railroad Right-of-Way; thence Southwardly along the West boundary line of the L & N Railroad Right-of-Way to the present corporate limits; thence along the present corporate limits of the City of Cullman to the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby, repealed;

Section 3. This Act shall take effect upon approval of the Governor.

July 21, 28, Aug. 4, 11-Chg.

THE STATE OF ALABAMA,  
CULLMAN COUNTY.

Before me Jack C. Riley, a Notary Public in and for said County and State, personally appeared Henry Frank Arnold, Publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: July 21, 28, August 4, 11, 1955.

HENRY F. ARNOLD,  
Publisher.

Sworn to and subscribed before me this, the 11th day of August, 1955.

JACK C. RILEY,  
Notary Public.

Also:

By Mr. Roberts:

S. 366. To abolish the office of deputy solicitor in St. Clair County, and to create in lieu thereof the office of county solicitor of St. Clair County; to fix the qualifications of the county solicitor; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To abolish the office of deputy solicitor in St. Clair County, and to create in lieu thereof the office of county solicitor of St. Clair County; to fix the qualifications of the county solicitor; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The office of deputy solicitor in St. Clair County is abolished, and there is hereby created in lieu thereof the office of county solicitor of St. Clair County.

Section 2. The county solicitor shall be a person learned in the law who has been admitted to the practice of law in the State of Alabama and is a qualified elector of St. Clair County. The county solicitor shall, during his term of office, maintain an office at the county seat of St. Clair County, and his office shall be open to the public for the transaction of official business at all hours when the office of the judge of probate is open for the transaction of business.

Section 3. Immediately upon the effective date of this Act, the Governor shall appoint a qualified person to serve as county solicitor

of St. Clair County, which person shall hold office until the first Monday ~~after the second Tuesday in January, 1957.~~ His successor shall be elected by the qualified electors of St. Clair County at the general election to be held in 1956, and every four years thereafter, and he shall hold office for a term of four years from the first Monday after the second Tuesday in January next succeeding his election and until his successor is elected and qualified.

Section 4. In the event of a vacancy in the office of county solicitor of St. Clair County, the judge of probate of the county shall notify the circuit solicitor of the judicial circuit in which St. Clair County is located, and the vacancy shall be filled by appointment of such circuit solicitor. A person appointed to fill such vacancy shall hold office until the next general election for any state officer held at least six months after the vacancy occurs, and until his successor is elected and qualified. His successor shall be chosen at such election and shall hold office for the unexpired term, and until his successor is elected and qualified.

Section 5. The county solicitor of St. Clair County shall represent the State of Alabama in all criminal cases in the Inferior Court of the county in all preliminary proceedings, in all applications for bail, in all habeas corpus proceedings, in all other criminal proceedings in the county requiring the services of a prosecuting attorney, and in all cases in the juvenile court of the county; Attend coroner's inquests; examine witnesses and select such witnesses as in his judgement should be and appear before the court of the county in preliminary proceedings, applications for bail, or habeas corpus proceedings, and before the grand jury of the county; aid and act for the circuit solicitor of the judicial circuit in which St. Clair County is located before the grand jury and in all matters in the circuit court of the county when requested to do so by the circuit solicitor; perform all of the duties of the circuit solicitor in his absence when called upon to do so by the court of county commissioners, board of revenue, or like county governing body of St. Clair County; and perform such other duties as may be required by law. The county solicitor shall have all the powers and shall perform all the duties which are now or which may hereafter be conferred on or imposed upon deputy solicitors in this State. He shall not represent or defend as attorney any defendant in any criminal case in any court of the State of Alabama or the United States.

Section 6. The county solicitor of St. Clair County shall receive a salary of two thousand four hundred dollars (\$2,400) per annum, to be paid out of the general funds of the county in twelve equal installments, on warrants properly drawn against such funds.

Section 7. The court of county commissioners, board of revenue, or like governing body of St. Clair County shall furnish the county solicitor of St. Clair County with adequate and suitable office space, and with such equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps, as are necessary for the proper and efficient discharge of the duties of his office.

Section 8. All laws or parts of laws in conflict with the provisions of this Act are repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### STATE OF ALABAMA ST. CLAIR COUNTY

On this 11 day of Aug., 1955, personally appeared before me Ethel Blair, Notary Public, in and for the County and State aforesaid,

Jean Davis, who being duly sworn according to Law, declares that she is Assistant Editor of the "St. Clair News-Aegis, a newspaper published in the city of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in the "St. Clair News-Aegis" on the following dates: 7-21, 7-28, 8-4, 8-11, 1955. That a copy of said paper was furnished the.....of the ..... Court.

Signed: JEAN DAVIS.

Subscribed and sworn to before me, this 11 day of Aug., A. D., 1955.

ETHEL BLAIR,  
Notary Public.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 363. Local Legislation No. 1.
- S. 364. Local Legislation No. 1.
- S. 368. Local Legislation No. 1.
- S. 370. Local Legislation No. 1.
- S. 372. Local Legislation No. 1.
- S. 375. Local Legislation No. 1.
- S. 376. Local Legislation No. 1.
- S. 359. Local Legislation No. 1.
- S. 366. Local Legislation No. 1.

#### CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:41 A.M. On August 26, 1955

H. 788

Delivered to the Governor at 4:03 P.M. On August 26, 1955

H. J. R. 74

H. J. R. 76

R. T. GOODWYN, JR.,  
Clerk.

#### ADJOURNMENT

On motion of Mr. Windle the House adjourned until Tuesday, August 30, 1955, at eleven o'clock A. M.

## THIRTY-FIFTH DAY

House of Representatives  
Montgomery, Alabama  
Tuesday, August 30, 1955

The House met pursuant to adjournment.

## PRAYER

The session was opened with prayer by the Reverend A. B. Hartley, Pastor, Yarbrough Street Baptist Church, Montgomery, Alabama.

## ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Jefferson)	Kelly	Oakley
Adams	Faulk	Kendall	Oden
Albea	Ferrell	Killough	Payne
Ashworth	Franklin	Kirkham	Perry
Bassett	Gilchrist	Lackey	Pirkle
Boyd	Gist	Law	Pruitt
Bradford	Goodwyn	Lee (Barbour)	Ramey
Brannan	Gregory	Lee (Lawrence)	Reynolds
Branyon	Grouby	Locke (Choctaw)	Richardson
Brassell	Hain	Locke (Perry)	Roberts
Brewer	Hall	Love	Selman
Broadfoot	Haltom	McClendon	Shumate
Brooks	Hanby	McKay	Simon
Brown (Lamar)	Hardy	McLendon	Solomon
Brown (Lee)	Hare	McNider	Speaks
Burkhalter	Harrison	Martin	Steagall
Callahan	Harvey	Mathews	Stembridge
Cornett	Hawkins	Mathison	Stokes
Cox	Hodges	Meeks	Summerlin
Crook	Holliman	Merrill	Taylor
Davis	Huddleston	Molette	Thomas
Dawkins	Hunt	Money	Tyson
deGraffenried	Jenkins	Murphy	Vacca
Dement	Johnson (Elmore)	Nettles	Ward
DeSear	Johnson (Tallapoosa)	Nice	Windle
Dickson	Kaul	Nolen	Wood
Edwards (Escambia)			

—105

A quorum was present.

## REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-fourth legislative day and finds the same to be correct.

RANKIN FITE,  
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the thirty-fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the thirty-fourth legislative day was approved.

## RESOLUTION

The following resolution was introduced:

By Mr. Branyon:

H.R. 77. BE IT RESOLVED BY THE HOUSE that when the House adjourns today, it adjourns to meet again on Friday, September 2, 1955.

On motion of Mr. Branyon the rules were suspended and H.R. 77 was adopted.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 43. To provide further for the distribution of the proceeds of certain state and county licenses.

Also:

H. 812. To amend Code of Alabama, Title 51, Section 606.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 975. To fix the salary of the deputy solicitor of Lamar County, and to prescribe the method of payment of such salary.

Also:

H. 976. To regulate the meetings of the county board of education of Lamar County.

Also:

H. 977. To propose an amendment to the Constitution of Alabama relative to the industrial development of Marion County.

Also:

H. 981. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Shelby County.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 954. Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and



Control; providing for the organization, powers, jurisdiction and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.

Also:

H. 955. To establish a County Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a court reporter for said court and to fix and prescribe his duties and compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the Chilton County Law and Equity Court of Chilton County, Alabama.

Also:

H. 956. Relating to Chilton County: To provide that the board of revenue, court of county commissioners, or like governing body of the county, or other public body having general jurisdiction of the county road system, shall be authorized and empowered to use or to authorize the use of county machinery, equipment, and property in the clearing and grading of building sites for new industries to be located within the county.

Also:

H. 957. To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 342. To amend Section 2 of Act No. 279, approved August 5, 1953, Acts of Alabama, 1953, entitled, "An Act relating to counties having a population of not less than 73,000 nor more than 93,000 inhabitants; providing that witness certificates obtained as a State's witness before the grand jury or a court in which a criminal prosecution is pending shall be paid immediately upon presentation for payment."

Also:

H. 53. Relating to the election of the municipal governing body in any city, governed by a mayor and council and having a population of not less than 6,125 nor more than 6,725 inhabitants, in which the qualified voters approve the adoption of the provisions of this Act at a referendum election held pursuant to this Act.

Also:

H. 562. To fix the salary of the stenographic secretary to the Circuit Solicitor of the Sixth Judicial Circuit of Alabama.

Also:

H. 830. To propose an amendment to the Constitution of Alabama relating to the levy and collection of additional property taxes in Winston County for public school purposes and for public hospital and health purposes; authorizing the county, or any public corporation designated as the agency of the county for the purpose of acquiring, constructing, equipping, maintaining and operating hospital and public health facilities to anticipate one-half of the tax levied for public hospital and health purposes and issue interest bearing tax anticipation bonds, warrants or certificates of indebtedness of said county payable solely from and secured by a pledge of one-half of the annual proceeds of such tax.

Also:

H. 741. To alter and extend the boundaries of the City of Mountain Brook.

Also:

H. 931. To amend Section 1 of Act No. 131, S. 9, approved July 12, 1955, regulating the compensation of certain circuit judges.

Also:

H. 787. Authorizing state banks situated in counties having a population of not less than 225,000 nor more than 400,000 inhabitants according to the last or subsequent federal decennial census, to establish, maintain and operate branch banks, branch offices, or other places of business within such county in which the principal place of business of the bank is situated, by and with the approval of the superintendent of banks.

Also:

H. 809. Relating to counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the last or any subsequent decennial census of the United States; and having two court houses and a court of county commissioners; providing for the furnishing of equipment, supplies, and additional clerks to the tax assessor and the tax collector in such counties.

Also:

H. 869. Relating to places of voting in state and county elections in all counties of the State having a population of not less than 200,000 nor more than 400,000 according to the last or any subsequent Federal decennial census: Providing for the designation of only one voting place in any ward, district or precinct in any such counties, and authorizing and providing for the assignment of booths or voting machines at such voting places to alphabetical groups of not more than six hundred qualified voters, and directing that qualified voters may vote at the designated voting place and the booth or voting machine assigned to the alphabetical group in which his name belongs in the ward, district or precinct of which he is a qualified voter.

Also:

H. 874. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

J. E. SPEIGHT,  
Secretary,

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 882. To authorize the governing body of any and every municipality in any county in this state which county may now or hereafter have a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States to adopt and provide by ordinance for the maintenance of a comprehensive zone map or maps of such municipality, and its Police Jurisdiction over which it exercises zoning jurisdiction, and to make such zoning map or maps a part of any ordinance by reference thereto in such ordinance without publication of such zone map or maps in any newspaper.

Also:

H. 883. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail. The provisions of this act shall apply in all counties having a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States.

Also:

H. 887. Relating to Lauderdale County; providing for the payment by the county of a salary to one duly appointed deputy register of the Circuit Court of Lauderdale County which shall be fixed by the governing body of the county in an amount not to exceed a stated sum.

Also:

H. 888. Relating to Lauderdale County; providing for the compensation of the chief deputy sheriff for Lauderdale County.

Also:

H. 895. Relating to Clarke County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the Inferior Court of the county.

Also:

H. 896. To further amend Section 7 of an Act entitled "An Act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 23, 1932, as amended by Act approved August 6, 1947.

Also:

H. 901. To amend Section 2 of Act No. 637, H. B. 644, approved September 4, 1951, entitled "An Act to provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.

Also:

H. 903. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile

County, Alabama, in charge of the Criminal Division of said Circuit Court.

Also:

H. 905. To require the Board of Revenue of Colbert County to provide suitable office space with telephone service for the Solicitor of the Colbert Law and Equity Court of Colbert County.

Also:

H. 907. To amend Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws."

Also:

H. 908. To amend further Section V or an act to provide for an election of the County Superintendent of Education for Marion County, Alabama, to fix the term of office, to provide for filling vacancies therein, to prescribe his salary, and the manner of payment thereof, to define his qualifications, powers, and duties, and to provide for his successor in office, approved June 3, 1935 (Local Acts, 1935, p. 18).

Also:

H. 909. Relating to Marion County: To amend further Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), entitled "An Act to allow the Sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

Also:

H. 917. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 225,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

Also:

H. 919. Relating to Sumter County: To amend further Act No. 261, H. 571, approved August 6, 1947 (Local Acts of Alabama, 1947, page 187), which created the Board of Commissioners of Sumter County.

Also:

H. 927. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Also:

H. 928. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Also:

H. 929. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Also:

H. 930. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Also:

H. 932. To provide for the manner of electing the members of the DeKalb County Board of Education, and to specify their election of one member thereof from each of the Commissioners Districts of DeKalb County, Alabama, and one member at large from said county and to provide their terms of office.

Also:

H. 934. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census, and to further regulate the number of meetings allowed to be held by the County Boards of Education in such counties.

Also:

H. 936. To further amend Section 793 of Title 37 of the 1940 Code of Alabama, as heretofore amended by Act. No. 857 of the Regular Session of the Legislature of Alabama of 1953 (General Acts of Alabama of 1953, p. 1147), approved September 19, 1953.

Also:

H. 937. To amend Sections 4 and 8 of an Act of the Legislature approved September 4, 1951, General Acts of Alabama of 1951, page 1132, entitled: "An Act to levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of, two cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the county for division, or distribution, between such county and the municipalities located therein; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act."

Also:

H. 938. To fix the compensation or salary of the Circuit Clerk of all counties having a population of Five Hundred Thousand (500,000)

or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 939. To provide for the compensation to be paid certain Deputy Circuit Solicitors by counties having a population of four hundred thousand (400,000) or more according to the last or any succeeding decennial federal census.

Also:

H. 959. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

Also:

H. 962. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts 1951, Page 1579).

Also:

H. 964. To amend Section 5 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 345, approved August 15, 1947, (General Acts of the Legislature of Alabama of 1947, pages 222-229).

Also:

H. 965. To fix the salary of the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama (Jefferson County) and to regulate the payment of the same.

J. E. SPEIGHT,  
Secretary,

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 966. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of 200,000 inhabitants or more according to the last or any succeeding federal census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

Also:

H. 967. Relating to Jefferson County: To abolish the Inferior Court of Leeds and provide for the transfer and disposition of the pending causes and judgments of the Inferior Court of Leeds.

Also:

H. 968. To alter, rearrange, and increase the boundaries of the City of Fairfield, Alabama, Jefferson County, Alabama.

Also:

~~H. 970. Relating to the municipality of the Town of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Graysville.~~

Also:

H. 971. To provide for the compensation to be paid the Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama who is elected by the people and the Assistant Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama by counties having a population of 500,000 or more according to the last or any succeeding decennial federal census.

Also:

H. 973. To require all county officers on a salary basis in counties having a population of four hundred thousand (400,000) or more, according to the last or any subsequent Federal Census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices; and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

Also:

H. 974. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 200,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; To provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

J. E. SPEIGHT,  
Secretary,

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 940. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 941. To fix the salary of the Judge of the Juvenile & Domestic Relations Court of any County in this state having a population of more than 400,000 according to the last or any subsequent federal decennial census.

Also:

H. 942. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide that this act shall become effective on the first Monday of November, 1957.

Also:

H. 943. To fix the compensation or salaries of Tax Assessors and Tax Collectors in counties of 500,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require such officers to pay in to the County Treasury of such County, or Counties, all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

H. 944. To provide for the selection, election and term of office of members of the governing body of any city which may now or hereafter have a population of 250,000 or more inhabitants according to the last or any succeeding federal census; to provide for the filling of vacancies on the governing body of any such city; to provide for the distribution of powers and duties into and among three departments of government and the assignment thereof among the members of the governing body of any such city; to provide that any person heretofore elected to the office of president of the commission or commissioner upon the governing body of any such city and assigned by the commission thereof to and serving as head of the Department of General Administration, Finances and Accounts or the Department of Public Improvements or the Department of Public Safety on the 31st day of December, 1954, shall not be subject to change in such assignment by the commission of such city; to provide that this Act shall not apply to any city governed under the provisions of Act No. 518 of the 1953 Session of the Legislature; to provide that all powers vested in any such city by this Act, by the laws general and local of the State and by Title 62, Code of Alabama of 1940, as amended, shall be vested in the commission of such city; to provide when the various provisions of this Act shall become applicable to any such city; to repeal all laws or parts of laws in conflict with the provisions of this Act; and to provide for the severability



of any section, clause, provision or portion of this Act should any such section, clause, provision or portion be held invalid by any court of competent jurisdiction.

Also:

H. 945. To fix the compensation or salary of the Treasurer of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 946. To amend Section 788 of Title 37 of the 1940 Code of Alabama.

Also:

H. 947. To fix the compensation or salary of the Sheriff of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 948. To increase the compensation of the Judge of any Court in the Counties of over 400,000 according to the last and any subsequent federal census where such judge is elected by the Circuit judges of such counties and said judge has original jurisdiction only to try misdemeanor cases and has jurisdiction as a committing magistrate in felony cases and has no authority to try civil cases nor domestic relation cases and also has jurisdiction in bastardy proceedings which increase is to begin at the beginning of the new term of office of said judge.

Also:

H. 949. To fix the compensation or salary of the Deputy Circuit Clerk created under Title 13, Section 199 of the Code of Alabama 1940, for the division of the tenth judicial circuit described therein. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 952. Relating to Mobile County; levying a privilege license tax upon every person, firm, or corporation selling, delivering, or withdrawing from storage or keeping in storage for sale or delivery in Mobile County, any gasoline, naptha, and other liquid motor fuels, or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude oil" commonly used for lighting, heating, or industrial purposes; providing that the amount of any municipal excise tax levied on such motor fuels and paid to any municipality in Mobile County shall be a credit toward the payment of the tax levied by this Act; providing for the enforcement and collection of the tax; providing for the distribution of the proceeds thereof among the county and the incorporated cities and towns in the county; and prescribing penalties for violation of this Act.

J. E. SPEIGHT,  
Secretary,

## MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to request the House of Representatives to return to the Senate for further consideration the Bill:

H. 954. Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction, and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.

J. E. SPEIGHT,  
Secretary,

## SENATE MESSAGE

On motion of Mr. Gregory the House acceded to the request of the Senate for the return of the bill, H. 954, to the Senate for further consideration.

And said bill was forthwith returned to the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Van Antwerp, Eddins, Roberts, Calvin, Metcalf, Little, Lamberth, Coleman, Davis (Pickens), Bradford, Davis (Lowndes), Yarbrough (Autauga), Robison, Flowers, Allen, Jones, James, Cooper, Yarbrough (Randolph), Newton, Goodwin and Skidmore:

S. 277. To amend Section 15 of Act No. 703, approved September 5, 1951, p. 1211, which relates to payments after death for public assistance recipients.

J. E. SPEIGHT,  
Secretary,

## SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 277. Public Welfare.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By the Rules Committee:

S.J.R. 75. RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 30, 1955.

J. E. SPEIGHT,  
Secretary,

## SENATE MESSAGE

The S.J.R. 75 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

J. E. SPEIGHT,  
Secretary,

## SENATE MESSAGE

On motion of Mr. Meeks the House concurred in and adopted the Senate amendment to the bill, H. 963, said Senate amendment being as follows:

## AMENDMENT TO HOUSE BILL 963

Amend the caption of House Bill 963 by inserting immediately following the words and punctuation "has been, or shall be authorized;" where said words appear together in the fourth line of said caption the following words:

"To provide that the election precincts of the county as now established shall so remain until changed and the Board of Registrars by and with the approval of the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county;"

## AMENDMENT TO HOUSE BILL 963

Also, amend Section 2 of said House Bill 963 by inserting immediately following the word and figure "Section 2" the following words:

"The election precincts of the county as now established shall so remain until changed and the Board of Registrars by and with the approval of the governing body of the county shall have the exclusive

power to establish, change, consolidate or alter election precincts in such county."

Yeas 91; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Jenkins	Nettles
Adams	Edwards (Escambia)	Johnson (Elmore)	Nice
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Ashworth	Faulk	Kendall	Oakley
Bassett	Ferrell	Killough	Oden
Boyd	Franklin	Kirkham	Payne
Bradford	Gilchrist	Lackey	Perry
Brannan	Gist	Law	Pirkle
Branyon	Goodwyn	Lee (Barbour)	Ramey
Brassell	Gregory	Lee (Lawrence)	Reynolds
Brewer	Grouby	Locke (Choctaw)	Richardson
Broadfoot	Hain	Love	Roberts
Brooks	Hall	McClendon	Selman
Brown (Lamar)	Halton	McKay	Speaks
Burkhalter	Hardy	McLendon	Steagall
Callahan	Hare	McNider	Stembridge
Cornett	Harrison	Mathews	Summerlin
Cox	Harvey	Mathison	Thomas
Crook	Hawkins	Meeks	Vacca
Dawkins	Hodges	Merrill	Ward
deGraffenried	Holliman	Molette	Windle
Dement	Huddleston	Money	Wood
DeSear	Hunt	Murphy	

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**MESSAGE FROM THE SENATE**

**Mr. Speaker:**

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 958. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand nor more than ninety-four thousand inhabitants according to the 1950 federal census, or any subsequent federal census.

**J. E. SPEIGHT,**  
Secretary,

**SENATE MESSAGE**

On motion of Mr. Hawkins the House concurred in and adopted the Senate amendment to the bill, H. 958, said Senate amendment being as follows:

**AMENDMENT TO H. B. 958**

Amend Section 2 of the bill by adding the following words as subsection (c):

"(c) Judge of the County Court—sixty-six hundred dollars"

Also amend the bill by striking out Section 6 and inserting the following in lieu thereof:

"Section 6. Subsections (a) and (b) of Section 2 of this Act shall become effective on October 1, 1955. Subsection (c) of Section 2 of this

Act shall become effective on the first Monday after the second Tuesday in January, 1907.

Yeas 87; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Jenkins	Nettles
Adams	Edwards (Escambia)	Johnson (Elmore)	Nice
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Ashworth	Faulk	Kelly	Oakley
Bassett	Ferrell	Kendall	Oden
Boyd	Franklin	Kirkham	Payne
Bradford	Gilchrist	Lackey	Pirkle
Brannan	Gist	Law	Pruitt
Branyon	Goodwyn	Lee (Barbour)	Ramey
Brassell	Gregory	Lee (Lawrence)	Reynolds
Brewer	Grouby	Locke (Choctaw)	Richardson
Broadfoot	Hain	Love	Roberts
Brooks	Hall	McClendon	Speaks
Brown (Lamar)	Haltom	McKay	Steagall
Burkhalter	Hardy	McLendon	Stembridge
Callahan	Harrison	McNider	Summerlin
Cornett	Harvey	Martin	Thomas
Crook	Hawkins	Mathison	Vacca
Dawkins	Hodges	Merrill	Ward
deGraffenried	Holliman	Molette	Windle
Dement	Huddleston	Money	Wood
DeSear	Hunt	Murphy	

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**RESOLUTION**

The following resolution was introduced:

By Mr. Lee (Barbour):

H.J.R. 78. Resolved by the House, the Senate concurring, That the Committee appointed pursuant to HJR 43, approved July 26, 1955 (Act No. 157), be authorized and directed to continue its investigation in accordance with said HJR 43 after sine die adjournment of this session of the Legislature; provided, that said Committee shall not meet for more than five additional days and the members of the Committee shall serve without pay or allowances.

Resolved further, that the Alabama Public Service Commission is requested to furnish to the Committee, at its request, all books, reports, papers, and records pertaining to the operation and management of the United Telephone and Telegraph Company and the Clio Telephone Company and that the members of the Commission are requested to appear before said Committee to give such evidence and assistance as the Committee may require.

Resolved also, that the Committee may incur expenses not exceeding two hundred dollars in carrying out their duties under this resolution, such expenses to be paid from appropriations made for the use of the Legislature, on requisitions approved by the Committee's chairman.

On motion of Mr. Lee (Barbour) the rules were suspended and H.J.R. 78 was adopted.

**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has

passed the following House bill and returns same herewith to the House:

H. 894. To abolish the DeKalb County Board of Revenue, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a County Commission to be known as DeKalb County Commission. To provide for the election of the members of said Commission, to fix their time of office, to define the powers and duties of such Commission and to fix the compensation of the members thereof.

J. E. SPEIGHT,  
Secretary,

### SENATE MESSAGE

On motion of Mr. Ferrell the House concurred in and adopted the Senate amendment to the bill, H. 894, said Senate amendment being as follows:

### AMENDMENT TO H. B. 894

Amend H. B. 894 by reinstating Section 5 of said bill which was stricken from the bill by House amendment, and renumbering the sections as originally set out in the bill.

Yeas 85; Nays 0.

#### Yeas:

Mr. Speaker	Edwards (Escambia)	Kelly	Nolen
Adams	Edwards (Jefferson)	Killough	Oakley
Albea	Ferrell	Lackey	Oden
Ashworth	Franklin	Law	Payne
Bassett	Gilchrist	Lee (Barbour)	Pirkle
Boyd	Gist	Lee (Lawrence)	Pruitt
Bradford	Goodwyn	Locke (Choctaw)	Ramey
Branyon	Gregory	Locke (Perry)	Reynolds
Brassell	Grouby	Love	Richardson
Brewer	Hain	McClendon	Roberts
Broadfoot	Hall	McKay	Solomon
Brooks	Haltom	McLendon	Steagall
Brown (Lamar)	Hanby	Martin	Stembridge
Brown (Lee)	Harrison	Mathews	Stokes
Burkhalter	Harvey	Mathison	Summerlin
Callahan	Hawkins	Merrill	Taylor
Cornett	Hodges	Molette	Thomas
Cox	Huddleston	Money	Vacca
Crook	Hunt	Murphy	Ward
deGraffenried	Jenkins	Nettles	Windle
Dement	Johnson (Tallapoosa)	Nice	Wood
Dickson			

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### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and as amended, has passed the following House bill and returns same herewith to the House:

H. 881. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of more than 400,000 in-

habitants, according to the last or any subsequent federal decennial census.

J. E. SPEIGHT,  
Secretary,

## SENATE MESSAGE

On motion of Mr. Meeks the House concurred in and adopted the Senate amendment to the bill, H. 881, said Senate amendment being as follows:

## AMENDMENT TO H. B. 881

At end of second sentence in section 4, insert the following:

"All alternate jurors shall be seated near the principal jurors with equal facilities for observing the proceedings in the trial, and shall attend the trial at all times in company with the principal jurors."

Yeas 92; Nays 0.

## Yeas:

Mr. Speaker	Faulk	Killough	Oden
Adams	Ferrell	Kirkham	Payne
Albea	Franklin	Law	Perry
Ashworth	Gist	Lee (Barbour)	Pirkle
Bassett	Goodwyn	Lee (Lawrence)	Pruitt
Boyd	Gregory	Locke (Choctaw)	Ramey
Bradford	Grouby	Locke (Perry)	Reynolds
Branyon	Hain	Love	Richardson
Brassell	Hall	McClendon	Roberts
Brewer	Haltom	McKay	Selman
Broadfoot	Hanby	McLendon	Shumate
Brooks	Hardy	McNider	Simon
Brown (Lamar)	Harvey	Martin	Solomon
Brown (Lee)	Hawkins	Mathews	Steagall
Burkhalter	Hodges	Meeks	Stembridge
Callahan	Holliman	Merrill	Stokes
Cornett	Huddleston	Molette	Summerlin
Cox	Hunt	Money	Taylor
deGraffenried	Jenkins	Murphy	Thomas
Dement	Johnson (Elmore)	Nettles	Vacca
DeSear	Johnson (Tallapoosa)	Nice	Ward
Dickson	Kelly	Nolen	Windle
Edwards (Escambia)	Kendall	Oakley	Wood

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## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill, and returns same herewith to the House:

H. 617. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$100,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by a pledge of certain state taxes.

J. E. SPEIGHT,  
Secretary,

## SENATE MESSAGE

On motion of Mr. Dawkins the House concurred in and adopted the Senate substitute for the bill, H. 617, said Senate substitute being as follows:

Substitute for H. B. 617:

A BILL  
TO BE ENTITLED  
AN ACT

To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$110,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed:

"The State is authorized to become indebted for school building purposes, and in evidence of the indebtedness so incurred to sell and issue, in addition to all other bonds of the State, interest bearing general obligation bonds of the State not exceeding \$110,000,000 in principal amount. The proceeds of all such bonds shall, after payment of the expenses of issuing same, be distributed as follows: Seventy-six and nine-tenths per centum (76.9%) thereof shall be allocated and distributed to county and city school systems on a teacher unit basis in accordance with the minimum school program, to be spent in accordance with regulations of the State Board of Education and statutes governing school building construction; Six and three-tenths per centum (6.3%) thereof shall be allocated and paid to The Board of Trustees of the University of Alabama; Six and three-tenths per centum (6.3%) thereof shall be allocated and paid to the Alabama Polytechnic Institute; Five-tenths of one per centum (0.5%) thereof shall be allocated and paid to Alabama College; Five and nine-tenths per centum (5.9%) thereof shall be expended on the state institutions of higher learning under the State Board of Education, including Alabama Agricultural and Mechanical College, Alabama State College, and the State Teachers' Colleges; two and seven-tenths per centum (2.7%) thereof shall be expended on trade schools; five-tenths of one per centum (0.5%) thereof shall be allocated and paid to The Board of Trustees of the University of Alabama for the construction of facilities for mental health education; and nine-tenths of one per centum (0.9%) thereof shall be allocated and paid to the Alabama Institute for Deaf and Blind. All of said proceeds so allocated and expended shall be used solely for the acquisition of school and college building sites, for the construction, reconstruction, alteration, and improvement of school and college building facilities, including renewal and replacement of structural parts, and for the procurement of equipment for school and college buildings.

"The Legislature shall adopt appropriate enabling legislation to carry out the intent of this constitutional amendment; and shall provide that all bonds issued under this amendment shall be sold only at public sale and none thereof shall be sold for less than the face value thereof.

"All bonds issued under this amendment shall be direct general obligations of the State of Alabama, and for the prompt and faithful payment of the principal thereof and interest thereon the full faith and credit of the State are hereby irrevocably pledged. In addition thereto,



there is hereby specially and irrevocably pledged for payment of the principal or and interest in all bonds issued hereunder, pro rata and without priority of one bond over another, by reason of prior issuance or otherwise, so much as may be necessary for said purpose of that portion of the proceeds of all state taxes, except the income tax, that is required by law, at the effective date of this amendment, to be paid into the Alabama Special Educational Trust Fund. The pledge herein made shall create a charge on the tax proceeds herein specially pledged prior to all other charges or expenses for educational or any other purposes whatsoever.; All bonds issued under this amendment and the income therefrom shall be exempt from all taxation in the State of Alabama. The provisions of Section 261 of the Constitution of Alabama shall not be deemed to apply to the tax proceeds pledged herein nor to the proceeds from any bonds issued hereunder."

Section 2. An election upon the proposed amendment is hereby ordered to be held on the first Tuesday following the expiration of three months after the final adjournment of this Session of the Legislature of Alabama. At the said election the qualified electors shall vote on said proposed amendment, and on the official ballot provided for such election there shall be printed the following: "Shall the following be adopted as an amendment to the Constitution of Alabama?", after which there shall be set forth verbatim the amendment proposed in Section 1 of this act, and after which there shall be printed the word "Yes" and immediately under that word there shall be printed the word "No". Space shall be provided on each ballot for the elector to indicate his choice by a cross mark opposite the word expressing his choice.

Section 3. Notice of the election on the proposed amendment shall be given by proclamation of the Governor published in a newspaper in each county in the State once a week for four successive weeks next preceding the day herein appointed for the election, and in any county in which there may be no newspaper published the notice shall be posted at each court house therein. The expenses of the election shall be paid out of the State Treasury. There is hereby appropriated out of the General Fund of the State such sum as may be necessary to defray the expenses of the election.

Yeas 88; Nays 3.

#### Yeas:

Mr. Speaker	Dement	Hawkins	McLendon
Adams	DeSear	Hodges	McNider
Albea	Dickson	Holliman	Martin
Ashworth	Edwards (Escambia)	Huddleston	Mathews
Bassett	Edwards (Jefferson)	Hunt	Merrill
Boyd	Faulk	Jenkins	Molette
Bradford	Ferrell	Johnson (Elmore)	Money
Branyon	Franklin	Johnson (Tallapoosa)	Nice
Brassell	Gilchrist	Kaul	Nolen
Broadfoot	Gist	Kendall	Oden
Brooks	Goodwyn	Killough	Payne
Brown (Lamar)	Gregory	Lackey	Perry
Brown (Lee)	Grouby	Law	Pirkle
Burkhalter	Hain	Lee (Barbour)	Pruitt
Callahan	Hall	Lee (Lawrence)	Ramey
Cornett	Haltom	Locke (Choctaw)	Reynolds
Cox	Hanby	Locke (Perry)	Richardson
Davis	Hardy	Love	Roberts
Dawkins	Harrison	McClendon	Selman
deGraffenried	Harvey	McKay	Solomon

Speaks  
Steagall

Stembridge  
Summerlin

Taylor  
Thomas

Vacca  
Ward

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Nays: Messrs. Kirkham, Murphy and Oakley.

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### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 377. Regulating further the testing, inspecting, and grading of milk, cream, and milk products with respect to the public health; prescribing certain duties and authority of the Department of Agriculture & Industries, the Commissioner of Agriculture & Industries, and the State Board of Health; providing for the cooperation and exchange of information between the Department of Agriculture & Industries, the State Board of Health, and the Alabama State Milk Control Board in the making of any surveys, investigations, and inquiries made for the purpose of determining whether or not, or in what manner, the production, processing, and distributing of milk, cream, and milk products may affect the public health; prescribing conditions and requirements for milk transported into Alabama from other states; and prescribing a penalty for violations of this Act.

J. E. SPEIGHT,  
Secretary,

### SENATE MESSAGE

On motion of Mr. Gilchrist the House concurred in and adopted the Senate amendment to the bill, H. 377, said Senate amendment being as follows:

### AMENDMENT TO HB 377

Amend Section 5 of HB 377 by inserting the words "except as hereinafter provided" between the word "State" and the word "to" where the words "State to" appear together in the 7th line of said section.

Amend H.B. 377 by striking therefrom Section 6 and substituting therefor the following:

Section 6. RULES AND REGULATIONS. The Commissioner of Agriculture and Industries, with the approval of the State Board of Agriculture and Industries, is authorized to promulgate and adopt rules and regulations to effectuate the evident intent and purposes of this Act. Provided, however, that all rules and regulations promulgated hereunder shall be in writing and said rules and regulations shall become effective thirty days after a copy of the same has been posted in the office of the Commissioner. The Commissioner shall mail a copy of all such rules and regulations to each holder of a permit issued hereunder addressed to such permit holder at his last known address. No rule or regulation under the authority of this Act shall become effective prior to the expiration of thirty days from the date of its promulgation and posting as aforesaid. Permits issued pursuant to this Act shall be issued on a semi-annual basis and may be suspended or revoked by the Commissioner of Agriculture and Industries for any good and sufficient cause.

Amend HB 377 by inserting the following new section between Section 7 and Section 8:

Section 7A. The Commissionr shall issue to each person, firm, or corporation who at the effective date of this Act holds a permit issued under the authority of Act No. 65 of the Second Special Session of the Legislature of 1955, a permit for a semi-annual period as authorized by this Act, upon the application of such person, firm, or corporation; and the Commissioner shall have no authority to revoke a permit so issued to any such person, firm, or corporation, until an inspection of the premises has been made by the Commissioner or by an employee of the Department of Agriculture and Industries. Revocation must be in writing and no permit shall be revoked except for violations of rules and regulations promulgated under the provisions of this Act. Any revocation of a permit shall not become effective until three days after the order or revocation has been delivered to the permit holder. Delivery of the notice may be made by registered or certified mail as provided by law for service in equity cases.

No milk in transit can be stopped, seized, or condemned by the Commissioner unless said milk has been produced, processed, or delivered by a person, firm, or corporation who does not hold a permit under the provisions of this Act or by a licensee under this Act whose permit has been previously revoked for cause.

Any person affected by any order or action of the Commissioner of Agriculture authorized by this Act, who deems himself aggrieved by any such order or action, may within 15 days after receiving notice of such order or action have such order or action reviewed by appeal to the Circuit Court of Montgomery County, Alabama, by filing a petition setting out the specific order or action or any part thereof whereby said person deems himself aggrieved and shall present to said Court such testimony as shall be deemed necessary to support such grievance. All such petitions shall be given preferred settings and shall be heard by the Court as speedily as possible. The appeal shall be perfected upon posting of a bond for costs of the appeal, accompanied by the petition.

Yeas 93; Nays 1.

#### Yeas:

Mr. Speaker	Edwards (Escambia)	Kelly	Nice
Adams	Edwards (Jefferson)	Kendall	Nolen
Albea	Ferrell	Killough	Oden
Ashworth	Franklin	Kirkham	Payne
Bassett	Gilchrist	Lackey	Perry
Boyd	Gist	Law	Pruitt
Bradford	Goodwyn	Lee (Barbour)	Ramey
Branyon	Gregory	Lee (Lawrence)	Reynolds
Brassell	Grouby	Locke (Choctaw)	Richardson
Brewer	Hain	Locke (Perry)	Roberts
Broadfoot	Hall	McClendon	Selman
Brooks	Haltom	McKay	Shumate
Brown (Lamar)	Hardy	McLendon	Simon
Brown (Lee)	Harrison	McNider	Solomon
Burkhalter	Harvey	Martin	Speaks
Callahan	Hodges	Mathews	Steagall
Cornett	Holliman	Mathison	Stembridge
Crook	Huddleston	Meeks	Summerlin
Davis	Hunt	Merrill	Taylor
Dawkins	Jenkins	Molette	Thomas
deGraffenried	Johnson (Elmore)	Money	Vacca
Dement	Johnson (Tallapoosa)	Murphy	Ward
DeSear	Kaul	Nettles	Wood
Dickson			

Nays: Mr. Windle.

—1

### RESOLUTION

The following resolution was introduced:

By Mr. Richardson:

H.J.R. 79. Be it resolved by the House the Senate concurring that H.B. 377 which has passed the 2 houses, be named the "Hall, Dawkins, Gilchrist, Dickson, Ramey, Davis of Pickens, Davis of Lowndes, Vann and Givhan Bill".

On motion of Mr. Richardson the rules were suspended and H.J.R. 79 was adopted.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

SB 291. To create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court.

said Governor's Message being in words and figures as follows, to-wit:

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am transmitting to you a message from the Governor relative to Senate Bill 291.

Respectfully submitted,

O. H. FINNEY, JR.,  
Executive Secretary

AUGUST 26, 1955

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 291, with a suggested executive amendment.

Amend said Senate Bill 291 by striking therefrom Section 2 in its entirety and substituting in lieu thereof Section 2 to read as follows:

"Section 2. Whenever this Act becomes operative in any county in this State an additional judgeship is hereby created for the circuit

court of the circuit to which such county belongs. The incumbent of ~~such additional judgeship shall be the judge of the domestic relations~~ division of the circuit court of such county. He shall have and exercise all the jurisdiction, powers, rights and authority and possess all the qualifications, perform all the duties and be subject to the pains, obligations and penalties that other circuit judges may have, exercise, perform and be subject to. If this act becomes effective in any county in this State more than six months before the next general election for any State officers the Governor shall appoint an additional judge for such circuit who shall hold office until the next general election for any state officers held at least six months after this act becomes effective in such county. At the first general election for state officers held at least six months after this act applies to a county, a judge shall be elected to fill the additional judgeship hereby authorized, who shall hold office until the next general election of circuit judges. At the first general election of circuit judges held after this act is operative in a county, and every six years thereafter, a judge shall be elected to fill such judgeship at the same election that other circuit judges are elected and such judge shall hold office for the same term as other circuit judges. Whenever the office of the additional judgeship hereby created is first filled, either by appointment or by election, the office of judge of the juvenile court of the county affected by this act is thereupon abolished, and thereafter the judge of the domestic relations division of the circuit court shall be ex officio the judge of the juvenile court of the county."

The suggested amendment is made with the full knowledge and approval and at the request of the author of said bill, and if adopted will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,  
Governor

And the Senate concurred in and adopted the amendment proposed by the Governor to the Bill, SB 291, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 21, Nays 0.

And said Bill, SB 291, as amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being:

Yeas 21, Nays 0.

And said Bill, SB 291, together with the executive amendment, is herewith sent to the House for its consideration.

J. E. SPEIGHT,  
Secretary,

#### SENATE MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 291, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 95; Nays 0.

#### Yeas:

Mr. Speaker	Bassett	Brassell	Brown (Lamar)
Adams	Boyd	Brewer	Brown (Lee)
Albea	Bradford	Broadfoot	Burkhalter
Ashworth	Branyon	Brooks	Callahan

Cornett	Hardy	Locke (Perry)	Pirkle
Cox	Harrison	Love	Pruitt
Crook	Harvey	McClendon	Ramey
Dawkins	Hawkins	McKay	Reynolds
deGraffenried	Hodges	McLendon	Richardson
Dement	Holliman	McNider	Roberts
DeSear	Huddleston	Martin	Selman
Dickson	Hunt	Mathews	Simon
Edwards (Escambia)	Jenkins	Mathison	Solomon
Edwards (Jefferson)	Johnson (Elmore)	Meeks	Speaks
Ferrell	Johnson (Tallapoosa)	Merrill	Steagall
Franklin	Kelly	Molette	Stembridge
Gilchrist	Kendall	Money	Summerlin
Gist	Killough	Murphy	Taylor
Gregory	Kirkham	Nettles	Thomas
Grouby	Lackey	Nice	Vacca
Hain	Law	Nolen	Ward
Hall	Lee (Barbour)	Oakley	Windle
Haltom	Lee (Lawrence)	Oden	Wood
Hanby	Locke (Choctaw)	Payne	

—95

Which was a majority of the whole number elected to the House.

And said bill:

S. 291. To create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 95; Nays 0.

#### Yeas:

Mr. Speaker	Dawkins	Harvey	Love
Adams	deGraffenried	Hawkins	McClendon
Albea	Dement	Hodges	McKay
Ashworth	DeSear	Holliman	McLendon
Bassett	Dickson	Huddleston	McNider
Boyd	Edwards (Escambia)	Hunt	Martin
Bradford	Edwards (Jefferson)	Jenkins	Mathews
Branyon	Ferrell	Johnson (Elmore)	Mathison
Brassell	Franklin	Johnson (Tallapoosa)	Meeks
Brewer	Gilchrist	Kelly	Merrill
Broadfoot	Gist	Kendall	Molette
Brooks	Gregory	Killough	Money
Brown (Lamar)	Grouby	Kirkham	Murphy
Brown (Lee)	Hain	Lackey	Nettles
Burkhalter	Hall	Law	Nice
Cornett	Haltom	Lee (Barbour)	Nolen
Cox	Hanby	Lee (Lawrence)	Oakley
Crook	Hardy	Locke (Choctaw)	Oden
Davis	Harrison	Locke (Perry)	Payne

Pirkle	Selman	Steagall	Vacca
<del>Pruitt</del>	<del>Shumate</del>	<del>Stembridge</del>	<del>Word</del>
Ramey	Simon	Summerlin	Windle
Reynolds	Solomon	Taylor	Wood
Roberts	Speaks	Thomas	

—95

Which was a majority of the whole number elected to the House.

#### BILLS ON SECOND READING

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1007 To provide that no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Baldwin County shall have or exercise police jurisdiction within Baldwin County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Baldwin County or over or on any person in Baldwin County or property or business in Baldwin County; nor shall any such municipality levy, fix or collect any licenses for any business, trade or profession done in Baldwin County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Baldwin County;

S. 359. To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

S. 363 To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

S. 364. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

S. 366. To abolish the office of deputy solicitor in St. Clair County, and to create in lieu thereof the office of county solicitor of St. Clair County; to fix the qualifications of the county solicitor; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

S. 368. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

S. 372. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and

to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

### RESOLUTIONS

The following resolutions were introduced:

By Mr. Cornett:

H.J.R. 80. Whereas the location and establishment of a state vocational trade school in Russell County would provide convenient vocational training facilities to a large portion of the people who reside in the east-central part of the State, and

Whereas the location and establishment of a state vocational trade school in Russell County would be of tremendous benefit to the people of that county; now therefore

Be it resolved by the House of Representatives, the Senate concurring: That the Legislature hereby requests the State Board of Education to give the greatest possible consideration to Russell County as the location of one of the additional state vocational trade schools provided for by an act of the 1955 regular session of the Legislature.

On motion of Mr. Cornett the rules were suspended and H.J.R. 80 was adopted.

Also:

By Messrs. Meeks and Dawkins:

H.J.R. 81. Be it resolved by the House of Representatives, the Senate concurring:

1. There shall be a joint legislative committee to study and investigate the needs of the public school system of this State, and to make such recommendations in regard thereto as the committee may deem advisable. The committee shall devote its attention particularly to a study of the salary scales of teachers in the public schools of this State, and the committee is authorized to take such steps as are necessary to make a comparison between the salary scales of teachers in this State and in other neighboring states. In making its studies and investigation, the committee may call upon the State Department of Education and any other agency of the State of Alabama for information and assistance, and such agencies shall furnish all possible information and assistance to the committee when requested to do so.

2. The committee hereby created shall be composed of four members of the House of Representatives appointed by the Speaker of the House and three members of the Senate appointed by the President of the Senate. The members of the committee shall elect a chairman and a vice-chairman from among their number, and the committee shall meet upon the call of its chairman or a majority of its members. A majority of the members of the committee shall constitute a quorum



for the transaction of business. Members of the committee shall be ~~entitled to receive their regular~~ legislative pay and allowances while engaged in the business of the committee and while the Legislature is not in session. The pay and allowances of the committee members shall be paid from funds appropriated for the use of the Legislature; provided, however, that the members of the committee shall not receive such pay and allowances for more than twenty days.

3. The committee shall make a report of its findings and recommendations to the next regular or special legislative session following the 1955 regular session of the Legislature.

The motion of Mr. Meeks to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 81 was lost.

Yeas 70; Nays 22.

#### Yeas:

Mr. Speaker	Ferrell	Kaul	Nettles
Adams	Franklin	Kendall	Nice
Albea	Gilchrist	Lackey	Nolen
Ashworth	Gist	Lee (Lawrence)	Perry
Branyon	Goodwyn	Locke (Perry)	Ramey
Broadfoot	Gregory	Love	Richardson
Brown (Lamar)	Grouby	McClendon	Roberts
Burkhalter	Hain	McLendon	Selman
Callahan	Hall	McNider	Speaks
Cornett	Haltom	Martin	Steagall
Cox	Hanby	Mathews	Stembridge
Davis	Harrison	Mathison	Stokes
Dawkins	Hawkins	Meeks	Summerlin
deGraffenried	Hodges	Merrill	Thomas
Dement	Huddleston	Molette	Vacca
DeSear	Hunt	Money	Windle
Edwards (Escambia)	Jenkins	Murphy	Wood
Edwards (Jefferson)	Johnson (Tallapoosa)		

—70

#### Nays:

Messrs.	Crook	Law	Pruitt
Bassett	Faulk	Lee (Barbour)	Shumate
Boyd	Harvey	Locke (Choctaw)	Taylor
Bradford	Holliman	McKay	Tyson
Brooks	Killough	Oakley	Ward
Brown (Lee)	Kirkham	Payne	

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And said resolution H.J.R. 81 was read and referred to the Standing Committee on Rules.

#### BILLS ON THIRD READING

S. 353. To impose in Winston County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naphtha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail

dealer and storer acting merely as agent for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax; to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

Was taken up.

Mr. Kelly offered the following amendment to the bill, S. 353.

#### AMENDMENT TO S. B. 353

S. B. 353 is hereby amended by adding after the last sentence of Section 10 thereof the following: The Commissioner of Revenue shall appoint as his agent a resident of Winston County with the consent of the Representative from Winston County, who shall serve at the pleasure of the Commissioner of Revenue and who shall collect the tax and be responsible directly to the Commissioner of Revenue and who shall render such reports and accountings to the Department of Revenue as the Commissioner shall require.

The salary for the agent so appointed shall not exceed four hundred dollars (\$400) per month, and reimbursement for travel by private automobile in the conduct of business shall be allowed at the rate of seven cents (7c) per mile, with a maximum allowance for mileage of fifty dollars (\$50) per month.

Further amend S. B. 353 by deleting from Section 15 thereof the following: The total cost of collecting the tax shall be deemed to be an amount which bears the same ratio to the total cost of collecting the State Gasoline Excise Tax and all other gasoline excise taxes (including the tax) collected by the State Department of Revenue, that the total amount of collections from the tax bears to the total amount of the State Gasoline Excise Tax and all other gasoline excise taxes (including the tax) that are collected by the State Department of Revenue.

And the amendment was adopted.

Yeas 87; Nays 0.

#### Yeas:

Mr. Speaker	Bassett	Broadfoot	Burkhalter
Adams	Boyd	Brooks	Callahan
Albee	Bradford	Brown (Lamar)	Cornett
Ashworth	Branyon	Brown (Lee)	Cox

# REGULAR SESSION

1895

Crook	Hanby	Locke (Perry)	Pirkle
Davis	Hardy	Love	Pruitt
Dawkins	Harrison	McClendon	Ramey
deGraffenried	Harvey	McKay	Selman
Dement	Hawkins	McLendon	Shumate
Dickson	Hodges	McNider	Simon
Edwards (Escambia)	Holliman	Martin	Solomon
Edwards (Jefferson)	Huddleston	Mathews	Speaks
Faulk	Hunt	Mathison	Steagall
Ferrell	Jenkins	Merrill	Stembridge
Franklin	Johnson (Tallapoosa)	Molette	Summerlin
Gilchrist	Kendall	Money	Taylor
Gist	Kirkham	Murphy	Thomas
Goodwyn	Lackey	Nettles	Vacca
Gregory	Law	Nice	Ward
Grouby	Lee (Barbour)	Nolen	Windle
Hain	Lee (Lawrence)	Oakley	Wood
Hall	Locke (Choctaw)	Oden	

—87

And said bill, S. 353, as thus amended, was read a third time at length and passed.

Yeas 83; Nays 1.

## Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Murphy
Adams	Edwards (Escambia)	Kelly	Nettles
Albea	Edwards (Jefferson)	Kendall	Nice
Ashworth	Faulk	Kirkham	Nolen
Bassett	Ferrell	Lackey	Oakley
Boyd	Franklin	Law	Pirkle
Bradford	Gist	Lee (Barbour)	Pruitt
Branyon	Goodwyn	Lee (Lawrence)	Ramey
Broadfoot	Gregory	Locke (Choctaw)	Selman
Brooks	Grouby	Locke (Perry)	Shumate
Brown (Lamar)	Hain	Love	Solomon
Brown (Lee)	Hall	McClendon	Speaks
Burkhalter	Hanby	McKay	Steagall
Callahan	Hardy	McLendon	Stembridge
Cornett	Harrison	McNider	Stokes
Cox	Harvey	Martin	Summerlin
Crook	Hawkins	Mathews	Thomas
Davis	Hodges	Mathison	Vacca
deGraffenried	Huddleston	Merrill	Windle
Dement	Hunt	Molette	Wood
DeSear	Jenkins	Money	

—83

Nays: Mr. Dawkins.

—1

## MOTION TO RECESS LOST

The motion of Mr. Simon to recess until 3:00 o'clock this afternoon was lost.

Yeas 34; Nays 55.

## Yeas:

Mr. Speaker	Bradford	Brooks	Davis
Ashworth	Broadfoot	Brown (Lamar)	Dawkins

Dement	Lee (Barbour)	Murphy	Solomon
Edwards (Escambia)	Lee (Lawrence)	Nolen	Speaks
Gregory	McKay	Oakley	Steagall
Hall	McLendon	Pirkle	Stembridge
Hanby	Martin	Ramey	Ward
Holliman	Mathews	Simon	Wood
Kirkham	Mathison		

—34

**Nays:**

Messrs.	Ferrell	Jenkins	Nettles
Adams	Franklin	Johnson (Tallapoosa)	Payne
Albea	Gilchrist	Kaul	Perry
Bassett	Gist	Kelly	Pruitt
Boyd	Goodwyn	Kendall	Richardson
Branyon	Grouby	Killough	Roberts
Brown (Lee)	Hain	Lackey	Selman
Burkhalter	Haltom	Law	Shumate
Callahan	Hardy	Locke (Choctaw)	Stokes
Cox	Harrison	Locke (Perry)	Taylor
Crook	Harvey	Love	Thomas
DeSear	Hawkins	McClendon	Tyson
Dickson	Hodges	McNider	Vacca
Edwards (Jefferson)	Hunt	Merrill	Windle

—55

**RECESS**

On motion of Mr. Brown (Lamar) the House recessed until 2:00 o'clock this afternoon.

Yeas 69; Nays 24:

**Yeas:**

Mr. Speaker	Franklin	Kirkham	Oakley
Albea	Gist	Law	Oden
Ashworth	Goodwyn	Lee (Barbour)	Pirkle
Bradford	Gregory	Lee (Lawrence)	Ramey
Branyon	Grouby	Love	Selman
Brooks	Hain	McClendon	Shumate
Brown (Lamar)	Hall	McKay	Simon
Burkhalter	Hanby	McLendon	Solomon
Callahan	Hardy	McNider	Speaks
Cox	Hodges	Martin	Steagall
Crook	Holliman	Mathews	Stembridge
Davis	Huddleston	Mathison	Stokes
Dawkins	Hunt	Merrill	Summerlin
deGraffenried	Jenkins	Molette	Thomas
Dement	Johnson (Elmore)	Money	Tyson
Edwards (Escambia)	Kelly	Murphy	Vacca
Faulk	Killough	Nolen	Ward
Ferrell			

—69

**Nays:**

Messrs.	Dickson	Johnson (Tallapoosa)	Perry
Adams	Edwards (Jefferson)	Kaul	Pruitt
Bassett	Haltom	Kendall	Richardson
Boyd	Harrison	Lackey	Roberts
Broadfoot	Harvey	Nettles	Taylor
Brown (Lee)	Hawkins	Payne	Windle
DeSear			

—24

## AFTERNOON SESSION

The hour of 2:00 o'clock P.M. having arrived, the House reconvened.

## BILLS ON THIRD READING RESUMED

S. 33. To regulate the sale, possession, displaying, offering for sale and use of fireworks in the State of Alabama. To regulate the periods of sale, provide for public display of fireworks, and to prescribe penalties for any violation of this act or any regulation promulgated under its authority.

Was taken up.

The motion of Mr. Lee (Barbour) to indefinitely postpone the bill, S. 33, was lost.

Yeas 43; Nays 55.

## Yeas:

Messrs.	Franklin	Killough	Nettles
Adams	Grouby	Kirkham	Oakley
Ashworth	Hain	Lee (Barbour)	Perry
Brewer	Haltom	Locke (Choctaw)	Pirkle
Brown (Lamar)	Hardy	McKay	Pruitt
Brown (Lee)	Harvey	McLendon	Ramey
Burkhalter	Hunt	McNider	Reynolds
Cornett	Jenkins	Martin	Speaks
Cox	Johnson (Tallapoosa)	Mathison	Taylor
Crook	Kaul	Molette	Tyson
deGraffenried	Kelly	Murphy	Windle

—43

## Nays:

Mr. Speaker	DeSear	Holliman	Oden
Albea	Dickson	Huddleston	Payne
Bassett	Edwards (Escambia)	Kendall	Richardson
Boyd	Edwards (Jefferson)	Lackey	Roberts
Bradford	Faulk	Law	Selman
Brannan	Ferrell	Lee (Lawrence)	Simon
Branyon	Gilchrist	Locke (Perry)	Steagall
Brassell	Gist	McClendon	Stembridge
Broadfoot	Goodwyn	Mathews	Stokes
Brooks	Gregory	Meeks	Summerlin
Callahan	Hall	Merrill	Thomas
Davis	Hanby	Money	Vacca
Dawkins	Hawkins	Nice	Ward
Dement	Hodges	Nolen	

—55

And said bill, S. 33, was read a third time at length and passed.

Yeas 53; Nays 43.

## Yeas:

Mr. Speaker	Broadfoot	Dickson	Gist
Albea	Brooks	Edwards (Escambia)	Goodwyn
Bassett	Callahan	Edwards (Jefferson)	Gregory
Boyd	Davis	Faulk	Hall
Bradford	Dawkins	Ferrell	Hanby
Brannan	Dement	Franklin	Hare
Brassell	DeSear	Gilchrist	Hawkins

Hodges	Lee (Lawrence)	Nolen	Stembridge
Holliman	Locke (Perry)	Oden	Stokes
Huddleston	McClendon	Payne	Summerlin
Hunt	Mathews	Roberts	Thomas
Johnson (Elmore)	Merrill	Simon	Vacca
Kendall	Money	Steagall	Ward
Lackey			

—53

**Nays:**

Messrs.	deGraffenried	Kirkham	Nettles
Adams	Grouby	Law	Oakley
Ashworth	Hain	Lee (Barbour)	Perry
Branyon	Haltom	Locke (Choctaw)	Pirkle
Brewer	Hardy	McKay	Pruitt
Brown (Lamar)	Harvey	McLendon	Ramey
Brown (Lee)	Jenkins	McNider	Reynolds
Burkhalter	Johnson (Tallapoosa)	Martin	Speaks
Cornett	Kaul	Mathison	Taylor
Cox	Kelly	Molette	Tyson
Crook	Killough	Murphy	Windle

—43

**MESSAGE FROM THE SENATE****Mr. Speaker:**

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

**H. 954. Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction, and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.**

J. E. SPEIGHT,  
Secretary.

**SENATE MESSAGE**

On motion of Mr. Gregory the House concurred in and adopted the Senate amendment to the bill, H. 954, said Senate amendment being as follows:

**AMENDMENT TO H. B. 954**

Amend the bill by adding the following after the last sentence in Section 4: "When duly authorized by the board, the chairman shall serve as purchasing agent for the county, and shall purchase all books, stationery, supplies, office equipment, printing and printing matter, blanks, forms, machinery, equipment, tools, materials, and contractual services for the county, and for every office, department, or instrumentality thereof, subject to the approval of the board."

Yeas 95; Nays 0.

**Yeas:**

Mr. Speaker	Ashworth	Bradford	Brassell
Adams	Bassett	Brannan	Brewer
Albea	Boyd	Branyon	Broadfoot

Brooks	Gregory	Lackey	Oden
<del>Brown (Lamar)</del>	<del>Grouby</del>	<del>Law</del>	<del>Payne</del>
Brown (Lee)	Hain	Lee (Barbour)	Perry
Burkhalter	Hall	Lee (Lawrence)	Pirkle
Callahan	Haltom	Locke (Choctaw)	Pruitt
Cornett	Hanby	Locke (Perry)	Ramey
Cox	Hardy	McClendon	Reynolds
Crook	Hare	McKay	Richardson
Davis	Harvey	McLendon	Simon
deGraffenried	Hawkins	McNider	Speaks
Dement	Hodges	Martin	Steagall
DeSear	Holliman	Mathews	Stembridge
Dickson	Huddleston	Mathison	Stokes
Edwards (Escambia)	Hunt	Merrill	Summerlin
Edwards (Jefferson)	Jenkins	Molette	Taylor
Faulk	Johnson (Elmore)	Money	Thomas
Ferrell	Johnson (Tallapoosa)	Murphy	Tyson
Franklin	Kelly	Nettles	Vacca
Gilchrist	Kendall	Nice	Ward
Gist	Killough	Nolen	Windle
Goodwyn	Kirkham	Oakley	

—95

## BILLS ON THIRD READING RESUMED

S. 106. To repeal Section 44 of Title 41, Code of Alabama (1940), which makes the official bond of certain county officers a lien on the property of such officers.

Was read a third time at length and passed.

Yeas 85; Nays 5.

## Yeas:

Mr. Speaker	DeSear	Hunt	Molette
Adams	Dickson	Jenkins	Money
Albea	Edwards (Escambia)	Johnson (Elmore)	Murphy
Ashworth	Edwards (Jefferson)	Johnson (Tallapoosa)	Nettles
Bassett	Faulk	Kendall	Nolen
Boyd	Ferrell	Killough	Oakley
Bradford	Franklin	Kirkham	Payne
Brannan	Gist	Lackey	Pirkle
Branyon	Goodwyn	Law	Pruitt
Brassell	Grouby	Lee (Barbour)	Ramey
Broadfoot	Hain	Locke (Choctaw)	Reynolds
Brooks	Hall	Locke (Perry)	Richardson
Brown (Lamar)	Hanby	Love	Simon
Burkhalter	Hardy	McClendon	Speaks
Callahan	Hare	McKay	Stembridge
Cornett	Harrison	McLendon	Stokes
Cox	Harvey	McNider	Summerlin
Crook	Hawkins	Martin	Taylor
Davis	Hodges	Mathews	Thomas
Dawkins	Holliman	Mathison	Ward
deGraffenried	Huddleston	Merrill	Windle
Dement			

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## Yeas:

Messrs.	Kaul	Perry	Steagall
Haltom	Lee (Lawrence)		

—5

## MOTION/ ADOPTED

The motion of Mr. McNider to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 180, was adopted.

And the bill:

S. 180. To amend Section 126 of Title 10, Code of Alabama (1940), which relates to the powers of corporations not of a business character.

Was read a third time at length and passed.

Yeas 95; Nays 0.

## Yeas:

Mr. Speaker	Dickson	Jenkins	Murphy
Adams	Edwards <sup>(Escambia)</sup>	Johnson <sup>(Elmore)</sup>	Nettles
Albea	Edwards <sup>(Jefferson)</sup>	Johnson <sup>(Tallapoosa)</sup>	Nolen
Bassett	Faulk	Kelly	Oakley
Boyd	Ferrell	Kendall	Payne
Bradford	Franklin	Killough	Pirkle
Brannan	Gilchrist	Kirkham	Pruitt
Branyon	Gist	Lackey	Reynolds
Brassell	Goodwyn	Law	Richardson
Brewer	Gregory	Lee <sup>(Barbour)</sup>	Selman
Broadfoot	Grouby	Lee <sup>(Lawrence)</sup>	Shumate
Brooks	Hain	Locke <sup>(Choctaw)</sup>	Simon
Brown <sup>(Lamar)</sup>	Hall	Locke <sup>(Perry)</sup>	Speaks
Brown <sup>(Lee)</sup>	Haltom	Love	Steagall
Burkhalter	Hanby	McClendon	Stembridge
Callahan	Hardy	McKay	Stokes
Cornett	Hare	McLendon	Summerlin
Cox	Harrison	McNider	Taylor
Crook	Harvey	Martin	Thomas
Davis	Hawkins	Mathews	Tyson
Dawkins	Hodges	Mathison	Vacca
deGraffenried	Holliman	Merrill	Ward
Dement	Huddleston	Molette	Windle
DeSear	Hunt	Money	

—95

## MOTION ADOPTED

The motion of Mr. Boyd to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 197, was adopted.

And the bill:

S. 197. Relating to the Office of the Circuit Solicitor of the Twelfth Judicial Circuit: Creating a fund for the use of certain state officers of said Circuit.

Was read a third time at length and passed.

Yeas 99; Nays 0.

## Yeas:

Mr. Speaker	Bassett	Branyon	Brooks
Adams	Boyd	Brassell	Brown <sup>(Lamar)</sup>
Albea	Bradford	Brewer	Brown <sup>(Lee)</sup>
Ashworth	Brannan	Broadfoot	Burkhalter



Callahan	Hall	Lee (Barbour)	<del>Perry</del>
<del>Cornett</del>	<del>Haltom</del>	Lee (Lawrence)	Pirkle
Cox	Hanby	Locke (Choctaw)	Pruitt
Crook	Hare	Locke (Perry)	Reynolds
Davis	Harrison	Love	Richardson
Dawkins	Harvey	McClendon	Roberts
deGraffenried	Hawkins	McKay	Selman
Dement	Hodges	McLendon	Shumate
DeSear	Holliman	McNider	Simon
Dickson	Huddleston	Martin	Speaks
Edwards (Escambia)	Hunt	Mathews	Steagall
Edwards (Jefferson)	Jenkins	Mathison	Stembridge
Faulk	Johnson (Elmore)	Merrill	Stokes
Ferrell	Johnson (Tallapoosa)	Molette	Summerlin
Franklin	Kaul	Money	Taylor
Gilchrist	Kelly	Murphy	Thomas
Gist	Kendall	Nettles	<b>Tyson</b>
Goodwyn	Killough	Nice	Vacca
Gregory	Kirkham	Nolen	Ward
Grouby	Lackey	Oakley	Windle
Hain	Law	Payne	

—99

## MOTION ADOPTED

The motion of Mr. Davis to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 306, was adopted.

And the bill:

S. 306. To amend Section 3 of Act No. 169, General Acts of Alabama 1945 (General Acts 1945, page 286, Section 3, effective August 22, 1945), and said Act as amended, by providing under Sub-section (1) of said Section that the measure of the tax on pine lumber shall be twenty cents per thousand feet board measure lumber tally, and that the measure of the tax on hardwoods and other species of lumber described in Sub-section (2) of said Section shall be eight cents per thousand feet board measure lumber tally, and that Sub-sections (7) and (8) shall be amended to provide that the levy in each instance shall be on invoice value at the loading out point and that such levy shall be based on the amount paid at the stump.

Was read a third time at length and passed.

Yeas 64; Nays 10.

**Yeas:**

Mr. Speaker	deGraffenried	Harrison	McClendon
Bassett	Dement	Harvey	McKay
Boyd	DeSear	Hawkins	McLendon
Bradford	Dickson	Holliman	McNider
Brannan	Edwards (Escambia)	Hunt	Martin
Branyon	Edwards (Jefferson)	Jenkins	Mathison
Brassell	Faulk	Johnson (Tallapoosa)	Meeks
Broadfoot	Ferrell	Kaul	Money
Brown (Lamar)	Gist	Kirkham	Nettles
Brown (Lee)	Gregory	Lackey	Nolen
Burkhalter	Grouby	Lee (Barbour)	Payne
Crook	Haltom	Lee (Lawrence)	Perry
Davis	Hare	Love	Pirkle

Pruitt	Speaks	Stokes	Vacca
Selman	Steagall	Summerlin	Ward
Shumate	Stembridge	Thomas	Windle

—64

**Nays:**

Messrs.	Hodges	Law	Richardson
Brooks	Huddleston	Locke (Perry)	Taylor
Dawkins	Kelly	Murphy	

—10

**MOTION ADOPTED**

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 46, was adopted.

And the bill:

S. 46. To amend Section 152 of Title 41, Code of Alabama 1940, as amended, by an Act entitled "An Act to amend Section 152 of Title 41 of the Code of Alabama 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951.

Was read a third time at length and passed.

Yeas 75; Nays 13.

**Yeas:**

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Payne
Adams	Edwards (Escambia)	Kelly	Perry
Albea	Edwards (Jefferson)	Killough	Pirkle
Bassett	Ferrell	Lackey	Ramey
Boyd	Gilchrist	Law	Reynolds
Bradford	Gist	Lee (Barbour)	Selman
Branyon	Goodwyn	Lee (Lawrence)	Shumate
Brassell	Gregory	McClendon	Simon
Brewer	Grouby	McKay	Speaks
Broadfoot	Hall	McNider	Steagall
Brown (Lamar)	Haltom	Martin	Stembridge
Burkhalter	Hanby	Mathison	Stokes
Callahan	Hardy	Merrill	Taylor
Cornett	Hare	Molette	Thomas
Cox	Harrison	Money	Tyson
Davis	Harvey	Murphy	Vacca
Dawkins	Hawkins	Nettles	Ward
deGraffenried	Hodges	Nice	Windle
Dement	Hunt	Nolen	

—75

**Nays:**

Messrs.	Crook	Kirkham	Oakley
Ashworth	DeSear	Locke (Perry)	Oden
Brannan	Holliman	McLendon	Richardson
Brooks	Kaul		

—13

**MOTION ADOPTED**

The motion of Mr. Brewer to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 243, was adopted.

And the bill:

**S. 243.** To authorize and make provision for the incorporation in any municipality in this state of one or more public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, and operating buildings for use by the municipality in which any such corporation shall be organized in the performance of the municipal functions of such municipality; to provide for the election of the directors and officers of each such corporation; to specify its powers; to authorize it and the municipality in which it is organized to enter into leases covering properties of such corporation and to specify requirements respecting such leases; to declare the security and supplying of reasonable and adequate building, office and storage facilities for the officers, courts, jails, departments, and agencies of the municipality performing municipal duties to be an essential governmental function of the municipality and the rentals payable by the municipality for such purpose to constitute a necessary governmental operating expense of the municipality; to prohibit the municipality in which any such project is located from leasing, or renewing any then existing lease with respect to, any office or storage space in any other buildings located in or about the municipality in which any such project is located while office or storage space is available in such project; to authorize the issuance by such corporation of interest bearing revenue bonds payable solely out of the revenues from the project with respect to which they are issued; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of such revenues, lease and rentals by mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from taxation the properties of said corporation and the income from the leases made with respect thereto, said bonds and the income therefrom, and said leases and mortgages; to authorize investment of idle and surplus funds of the municipality in said bonds; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and mortgage and the proceedings authorizing the same; to authorize the transfer to said corporation, with or without consideration, of properties owned by the municipality whether or not they are necessary for the conduct of governmental or other public functions of the municipality; to provide for the vesting in the municipality of title to each project of said corporation as and when bonds which are payable, in whole or in part, from the revenues derived from such project shall have been paid in full; and to provide for the dissolution of said corporation.

Was read a third time at length and passed.

Yeas 83; Nays 3.

**Yeas:**

Mr. Speaker	Brassell	Cox	Faulk
Adams	Brewer	Crook	Franklin
Ashworth	Broadfoot	Dawkins	Gilchrist
Bassett	Brown (Lamar)	deGraffenried	Gist
Boyd	Brown (Lee)	Dement	Gregory
Bradford	Burkhalter	Dickson	Grouby
Brannan	Callahan	Edwards (Escambia)	Hall
Branyon	Cornett	Edwards (Jefferson)	Haltom

Hanby	Killough	Merrill	Shumate
Hardy	Lackey	Molette	Simon
Hare	Law	Money	Speaks
Harrison	Lee (Barbour)	Murphy	Steagall
Harvey	Lee (Lawrence)	Nice	Stembridge
Hawkins	Locke (Choctaw)	Nolen	Summerlin
Hodges	Love	Oden	Taylor
Holliman	McClendon	Payne	Thomas
Huddleston	McKay	Perry	Tyson
Hunt	McLendon	Pirkle	Vacca
Johnson (Elmore)	McNider	Ramey	Ward
Johnson (Tallapoosa)	Martin	Reynolds	Windle
Kelly	Mathison	Selman	

—83

**Nays:** Messrs. Kirkham, Oakley and Richardson.

—3

### MOTION ADOPTED

The motion of Mr. Martin to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 200, was adopted.

And the bill:

S. 200. To amend Sections 364 and 366 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Was read a third time at length and passed.

Yeas 96; Nays 0.

### Yeas:

<b>Mr. Speaker</b>	<b>DeSear</b>	<b>Johnson (Tallapoosa)</b>	<b>Nolen</b>
Adams	Dickson	Kendall	Oakley
Albea	Edwards (Escambia)	Killough	Oden
Ashworth	Edwards (Jefferson)	Kirkham	Payne
Bassett	Faulk	Lackey	Perry
Boyd	Ferrell	Law	Pirkle
Bradford	Gilchrist	Lee (Barbour)	Pruitt
Brannan	Gist	Lee (Lawrence)	Reynolds
Branyon	Gregory	Locke (Choctaw)	Richardson
Brassell	Grouby	Locke (Perry)	Roberts
Brewer	Hall	Love	Selman
Broadfoot	Haltom	McClendon	Shumate
Brooks	Hanby	McKay	Simon
Brown (Lamar)	Hardy	McLendon	Speaks
Brown (Lee)	Hare	McNider	Steagall
Burkhalter	Harrison	Martin	Stembridge
Callahan	Harvey	Mathews	Stokes
Cornett	Hawkins	Mathison	Summerlin
Cox	Hodges	Merrill	Taylor
Crook	Holliman	Molette	Thomas
Davis	Huddleston	Money	Tyson
Dawkins	Hunt	Murphy	Vacca
deGraffenried	Jenkins	Nettles	Ward
Dement	Johnson (Elmore)	Nice	Windle

—96

### MOTION ADOPTED

The motion of Mr. Selman to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 22, was adopted.

And the bill:

**S. 22.** To repeal Section 555 of Title 51, Code of Alabama (1940), which levies a privilege tax on the operation of a coal mine.

Was read a third time at length and passed.

Yeas 60; Nays 28.

**Yeas:**

Mr. Speaker	deGraffenried	Hodges	Pirkle
Adams	Dement	Huddleston	Ramey
Ashworth	Edwards (Escambia)	Jenkins	Reynolds
Bassett	Edwards (Jefferson)	Johnson (Elmore)	Richardson
Boyd	Faulk	Johnson (Tallapoosa)	Roberts
Brannan	Ferrell	Kelly	Selman
Branyon	Franklin	Lackey	Shumate
Brassell	Gist	Law	Simon
Brewer	Goodwyn	Lee (Barbour)	Speaks
Broadfoot	Gregory	Martin	Steagall
Brown (Lamar)	Grouby	Money	Stembridge
Callahan	Hall	Murphy	Stokes
Cox	Hare	Nettles	Thomas
Davis	Harvey	Nolen	Tyson
Dawkins	Hawkins	Perry	Vacca

—60

**Nays:**

Messrs.	Gilchrist	Kirkham	Molette
Albea	Hain	Locke (Choctaw)	Nice
Bradford	Haltom	Locke (Perry)	Oakley
Brooks	Hardy	Love	Payne
Burkhalter	Holliman	McKay	Summerlin
Cornett	Kaul	McLendon	Taylor
Crook	Killough	McNider	Ward
Dickson			

—28

And the bill:

**S. 127.** To authorize and direct the State Highway Department to construct, pave, repair, and maintain roads on the lands used by the agricultural experiment station system of the Alabama Polytechnic Institute.

Was read a third time at length and passed.

Yeas 90; Nays 6.

**Yeas:**

Mr. Speaker	Brown (Lamar)	Edwards (Escambia)	Hanby
Adams	Brown (Lee)	Edwards (Jefferson)	Hardy
Albea	Burkhalter	Faulk	Hare
Ashworth	Callahan	Ferrell	Harvey
Bassett	Cornett	Franklin	Hawkins
Boyd	Cox	Gilchrist	Hodges
Bradford	Crook	Gist	Holliman
Brannan	Davis	Gregory	Hunt
Branyon	deGraffenried	Grouby	Jenkins
Brassell	Dement	Hain	Johnson (Elmore)
Brewer	DeSear	Hall	Johnson (Tallapoosa)
Brooks	Dickson	Haltom	Kelly

Killough	McNider	Oden	Steagall
Lackey	Martin	Payne	Stembridge
Law	Mathews	Perry	Stokes
Lee (Barbour)	Mathison	Pirkle	Summerlin
Lee (Lawrence)	Merrill	Pruitt	Taylor
Locke (Choctaw)	Molette	Ramey	Thomas
Locke (Perry)	Money	Reynolds	Tyson
Love	Nettles	Richardson	Vacca
McClendon	Nice	Selman	Ward
McKay	Nolen	Speaks	Windle
McLendon	Oakley		

—90

**Nays:**

Messrs.	Dawkins	Kirkham	Simon
Broadfoot	Huddleston	Murphy	

—6

**MOTION ADOPTED**

The motion of Mr. Adams to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 241, was adopted.

And the bill:

S. 241. To confer on each city in this state having a population of 6,000 or more inhabitants according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance, street and sidewalk improvements and sewer improvements outside of the corporate limits of such city and within its police jurisdiction as it may have under any law now existing or hereafter enacted respecting the construction of, and the issuance of securities to finance, any such improvements within the corporate limits of such city; to confer on each such city the same powers to assess the cost of any such improvements, whether constructed within the city or outside the city and within its police jurisdiction, against the properties specially benefited by such improvements whether such properties are located in such city or outside such city and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such city of the cost of such improvements constructed in such city; to confer on each such city the power to finance any such improvements, constructed outside the city and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements; and to repeal Act No. 884 adopted at the 1953 Regular Session of the Legislature of Alabama.

Was read a third time at length and passed.

Yeas 52; Nays 33.

**Yeas:**

Mr. Speaker	Brown (Lee)	Ferrell	Harrison
Adams	Burkhalter	Franklin	Havrey
Boyd	Cornett	Gregory	Hawkins
Brannan	Davis	Grouby	Hodges
Branyon	Dawkins	Hall	Holliman
Brassell	Dement	Hanby	Jenkins
Brooks	Dickson	Hardy	Johnson (Elmore)
Brown (Lamar)	Edwards (Escambia)	Hare	Johnson (Tallapoosa)

Kelly	McLendon	Nolen	Reynolds
Kendall	Mathews	Payne	Selman
Locke (Choctaw)	Mathison	Perry	Solomon
Love	Money	Pirkle	Taylor
McKay	Nice	Ramey	Vacca

—52

**Nays:**

Messrs.	DeSear	Lee (Barbour)	Oden
Albea	Edwards (Jefferson)	Lee (Lawrence)	Richardson
Ashworth	Faulk	Locke (Perry)	Speaks
Bradford	Gist	McClendon	Steagall
Broadfoot	Hain	McNider	Stembridge
Callahan	Haltom	Merrill	Stokes
Cox	Hunt	Molette	Thomas
Crook	Kirkham	Oakley	Ward
deGraffenried	Law		

—33

**MOTION ADOPTED**

The motion of Mr. Hawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 286, was adopted.

And the bill:

S. 286. Providing that every person, firm, or corporation who sells or furnishes any tractor, scraper, motor vehicle, machinery or like equipment of any kind, or part thereof, or repairs thereto, the purchase price of which exceeds Twenty-Five Dollars (\$25.00), shall have a lien for the full price thereof on the vehicle; providing for the recording of such lien and for the enforcement thereof.

Was taken up.

The motion of Mr. Tyson to indefinitely postpone the bill, S. 286, was lost.

Yeas 23; Nays 59.

**Yeas:**

Messrs.	Dickson	Johnson (Tallapoosa)	Molette
Brewer	Edwards (Escambia)	Kirkham	Murphy
Broadfoot	Edwards (Jefferson)	Law	Oakley
Brooks	Faulk	Locke (Perry)	Richardson
Dement	Haltom	Love	Simon
DeSear	Johnson (Elmore)	McKay	Tyson

—23

**Nays:**

Mr. Speaker	Brown (Lee)	Gist	Huddleston
Adams	Burkhalter	Gregory	Hunt
Albea	Callahan	Hall	Killough
Ashworth	Cornett	Hanby	Lee (Barbour)
Bassett	Cox	Hardy	Locke (Choctaw)
Boyd	Crook	Hare	McClendon
Bradford	Davis	Harrison	McLendon
Brannan	Dawkins	Havrey	McNider
Branyon	deGraffenried	Hawkins	Meeks
Brassell	Ferrell	Hodges	Merrill
Brown (Lamar)	Franklin	Holliman	Money

Nettles	Pirkle	Stembridge	Thomas
Nice	Shumate	Stokes	Vacca
Nolen	Speaks	Summerlin	Windle
Payne	Steagall	Taylor	

—59

And said bill, S. 286, was read a third time at length and passed.

Yeas 66; Nays 14.

#### Yeas:

Mr. Speaker	Davis	Hodges	Nice
Adams	Dawkins	Holliman	Nolen
Albea	deGraffenried	Hunt	Oden
Ashworth	Dickson	Jenkins	Payne
Bassett	Edwards (Escambia)	Killough	Perry
Boyd	Ferrell	Lee (Barbour)	Pirkle
Bradford	Franklin	Locke (Choctaw)	Shumate
Brannan	Gist	Love	Speaks
Branyon	Gregory	McKay	Steagall
Brassell	Grouby	McLendon	Stembridge
Brown (Lamar)	Hall	McNider	Stokes
Brown (Lee)	Hanby	Martin	Summerlin
Burkhalter	Hardy	Merrill	Taylor
Callahan	Hare	Money	Thomas
Cornett	Harrison	Murphy	Vacca
Cox	Harvey	Nettles	Windle
Crook	Hawkins		

—66

#### Nays:

Messrs.	Dement	Johnson (Tallapoosa)	Oakley
Brewer	Haltom	Kirkham	Richardson
Broadfoot	Huddleston	Law	Tyson
Brooks	Johnson (Elmore)	Locke (Perry)	

—14

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H.J.R. 78. Relative to legislative committee investigating United Telephone & Telegraph Company and the Clio Telephone Company.

Also:

H.J.R. 79. Naming HB 377.

Also:

H.J.R. 80. Requesting State Board of Education to consider locating vocational trade school in Russell County.

J. E. SPEIGHT,  
Secretary.

#### RESOLUTION

The following resolution was introduced:

By Messrs. Roberts and Reynolds:



H.J.R. 82. Whereas the oldest English speaking town in the State is now in its one hundred and thirtieth year,

Whereas, it was in this town that a constitution for the proposed State of Alabama was drafted and transmitted to the United States Congress to become the basis for that body's resolution declaring "the admission of the State of Alabama into the Union";

Whereas this town has always been progressive having had therein the first organized Presbyterian church in the State, the first public library in the State, the first State bank, the first cotton gin, the first textile mill, the first Masonic lodge, the first municipal water system and the first street car;

Whereas, four governors, eight United States Senators and enumerable able legislators from this town have worked faithfully for the prosperity and development of our great State and hence merit the gratitude of the whole State;

Whereas said town was richly endowed with a plentiful, pure and wholesome water supply, and an abundance of fertile land which have attracted agriculture and diversified industries to the community;

Whereas, excellent transportation facilities serve the town and furnish ready access to and from it via any means of transportation, among which are: the Southern Railroad System, the N.C. & S.L. Railway System, the Capital Airlines, the Eastern Airlines, common carrier barge service on the Tennessee River and the following highways: U. S. 431, U. S. 231, U. S. 7 and Alabama highways 1, 20, 38 and 97.

Whereas this town is the site of the hub of the Nation's rocket development program, Redstone Arsenal, which employs more than six thousand civilians and has an annual payroll of more than thirty-three million dollars (\$33,000,000); and

Whereas the State of Alabama is justly proud of this town, whose natural beauty, able citizens, industrial development and general progress have so often redounded to the benefit of the whole State that one is lead to think that it must assuredly be the city from which the first space ship will be launched for a journey to the moon.

Now, Therefore, Be It Resolved By the Legislature of Alabama, Both Houses thereof Concurring:

The Legislature of Alabama hereby extends felicitations to the City of Huntsville and each inhabitant thereof on this sequicentennial year; and on behalf of the people of Alabama, hereby thanks the City of Huntsville and her citizens for their numerous contributions to the social, cultural, and economic welfare of the State.

Be It Further Resolved that the Clerk of the House of Representatives send a copy of this resolution to the Mayor of the City of Huntsville and to the Press.

On motion of Mr. Roberts the rules were suspended and H.J.R. 82 was adopted.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

J. E. SPEIGHT,  
Secretary.

### SENATE MESSAGE

On motion of Mr. Hawkins, the House non-concurred in the Senate amendment to the bill, H. 206, said Senate amendment being as follows: Finance and Taxation Substitute for H.B. 206:

### A BILL TO BE ENTITLED AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries, equipment purchases and additions and betterments and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expenses, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs and items of general expense not defined as "equipment purchases", and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment, motor vehicle equipment and other equipment which has an appreciable and calculable period of usefulness in excess of one year, and the money appropriated therefor shall be expended only for such purposes; (d) "additions and betterments" shall mean lands and buildings and the construction and alteration of structures and improvements thereto, improvements to land, sewer, water, shelter, support, storage, protection or the improvement of a natural condition, and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1956 and September 30, 1957, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor.

### FROM THE GENERAL FUND

#### I. EXECUTIVE:

The Governor's Office:

## REGULAR SESSION

1911

For the salary of the Governor .....	<del>\$12,000.00</del>	
For the salary of the Legal Counsel .....	9,000.00	
For other salaries .....	75,700.00	
For other expenses .....	16,650.00	
<b>Total</b> .....		<b>\$113,350.00</b>
For the Governor's Emergency Fund ..		
To be expended at the direction of the Governor .....		100,000.00
For the Mansion Fund .....		60,000.00

## II. LEGISLATIVE:

For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses for the fiscal year ending September 30, 1956, and for the salaries and expenses of the Legislature for extraordinary sessions .....	300,000.00
For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for any expenses for any legislative sessions for the fiscal year ending September 30, 1957 .....	1,000,000.00
For printing of Legislative Acts and Journals for the fiscal year ending September 30, 1956, estimated .....	75,000.00

## III. JUDICIAL:

## (1) THE SUPREME COURT:

For the salaries of the Chief Justice and six Associate Justices ..	84,000.00
For the salary of the Clerk of the Court ..	6,000.00
For the salary of the Court Reporter ..	6,000.00
For other salaries .....	88,080.00
For other expenses .....	13,540.00
For equipment purchases .....	6,000.00
<b>Total</b> .....	<b>203,620.00</b>
For the Supreme Court Library Fund ..	10,000.00
For cataloging the Supreme Court Library .....	7,500.00

## (2) THE COURT OF APPEALS:

For salaries of the three judges .....	34,500.00
For other salaries .....	31,200.00
For other expenses .....	4,162.50
For equipment purchases .....	500.00
<b>Total</b> .....	<b>70,362.50</b>

## (3) THE CIRCUIT COURTS:

For the salaries of the judges of the Circuit Courts, estimated .....	484,500.00
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For travel expenses of circuit judges	7,500.00
For telephone service, stationery, stamps, and necessary equipment for the office use of circuit judges	10,000.00
For the salaries and travel expenses of special judges, estimated	4,000.00
For salaries of thirty-three circuit solicitors	231,000.00
For salary of the elected deputy circuit solicitor of the Bessemer Division of the 10th Judicial Circuit	6,000.00
For the salary of the appointed assistant deputy solicitor of the Bessemer Division of the 10th Judicial Circuit	3,600.00
For the salary of the first deputy solicitor of the Birmingham Division of the 10th Judicial Circuit	5,700.00
For the salaries of the second and third deputy solicitors of the Birmingham Division of the 10th Judicial Circuit	10,000.00
For the salaries of the fourth, fifth and sixth deputy solicitors of the Birmingham Division of the 10th Judicial Circuit; \$4,000.00 each	12,000.00
For the salary of the deputy circuit solicitor of the 6th Judicial Circuit	4,500.00
For the salaries of the deputy circuit solicitors of the 13th Judicial Circuit	10,800.00
For the salary of the deputy circuit solicitor of the 15th Judicial Circuit	7,800.00
For the salary of the deputy circuit solicitors of the 16th Judicial Circuit	6,000.00
For the salary of the deputy circuit solicitor of the 23rd Judicial Circuit	4,200.00
<b>Total</b>	<b>309,200.00</b>
For the travel expenses of circuit solicitors	6,000.00
For telephone service, stationery, stamps, and necessary equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants	20,000.00
For salary of supernumerary circuit solicitors, estimated	8,000.00

## (4) COURT REPORTERS:

For the compensation of the circuit court reporters, estimated	87,600.00
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## (5) SUPERNUMERARY JUDGES:

For salaries of supernumerary judges, estimated	40,000.00
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## (6) SUPERNUMERARY JUSTICES:

For expenses of supernumerary Justices of Supreme Court .....	3,600.00
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## IV. CONSTITUTIONAL OFFICES:

## (1) OFFICE OF THE ATTORNEY GENERAL:

For the fiscal year ending September  
30, 1956:

For the salary of the Attorney General	10,000.00	
For other salaries .....	151,900.00	
For other expenses .....	33,100.00	
For equipment purchases .....	3,550.00	
Total .....		198,550.00

For the fiscal year ending September 30,  
1957:

For the salary of the Attorney General ...	10,000.00	
For other salaries .....	151,900.00	
For other expenses .....	33,100.00	
For equipment purchases .....	2,750.00	
Total .....		197,750.00

## (2) OFFICE OF THE STATE AUDITOR:

For the salary of the State Auditor ...	6,000.00	
For other salaries .....	25,325.00	
For other expenses .....	2,250.00	
For equipment purchases .....	500.00	
Total .....		33,725.00

## (3) OFFICE OF THE SECRETARY OF STATE:

For the salary of the Secretary of State .....	6,000.00	
For other salaries .....	20,725.00	
For other expenses .....	6,000.00	
For equipment purchases .....	1,000.00	
Total .....		33,725.00

## (4) OFFICE OF THE STATE TREASURER:

For the fiscal year ending September  
30, 1956:

For the salary of the State Treasurer	6,000.00
For other salaries .....	66,826.00
For other expenses and compensation of fiscal agents .....	19,450.00
For equipment purchases .....	12,724.00

Total .....	105,000.00
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For the fiscal year ending September  
30, 1957:

For the salary of the State Treasurer .	6,000.00
For other salaries .....	67,836.00

For other expenses and compensation of fiscal agents .....	19,664.00	
For equipment purchases .....	500.00	
Total .....		94,000.00
V. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:		
(1) DEPARTMENT OF ARCHIVES AND HISTORY:		
For the salary of the Director .....	7,500.00	
For other salaries .....	50,500.00	
For other expenses .....	8,000.00	
For equipment purchases .....	1,000.00	
For expenses of publication of the Alabama Historical quarterly .....	3,000.00	
Total .....		70,000.00
For expenses of printing Statistical Register for the fiscal year ending September 30, 1956:		5,000.00
(1-A) PUBLIC LIBRARY SERVICE DIVISION:		
For salaries .....	35,000.00	
For other expenses .....	11,000.00	
For books and pamphlets .....	67,000.00	
For equipment purchases .....	2,000.00	
Total .....		115,000.00
(2) BUILDING COMMISSIONS:		
For salaries, other expenses and equipment purchases (For expenditure pursuant to Act No. 128, 1945 Regular Session, as amended) ....		50,000.00
(3) DEPARTMENT OF CIVIL DEFENSE:		
For the salary of the director .....	9,000.00	
For other salaries .....	20,000.00	
For other expenses .....	10,000.00	
For equipment purchases .....	1,000.00	
Total .....		40,000.00
(4) DEPARTMENT OF COMMERCE:		
For the salary of the Director .....	10,000.00	
For other salaries .....	102,000.00	
For other expenses .....	35,000.00	
For equipment purchases .....	3,000.00	
Total .....		150,000.00
(5) DEPARTMENT OF EXAMINER OF PUBLIC ACCOUNTS:		
For the fiscal year ending September 30, 1956:		
For the salary of the Chief Examiner .....	10,000.00	

## REGULAR SESSION

1915

For other salaries .....	380,000.00	
<del>For other expenses .....</del>	<del>146,000.00</del>	
For equipment purchases .....	2,000.00	
Total .....		\$540,000.00
For the fiscal year ending September 30, 1957:		
For the salary of the Chief Examiner .....	10,000.00	
For other salaries .....	383,000.00	
For other expenses .....	146,000.00	
For equipment purchases .....	1,000.00	
Total .....		\$540,000.00

## (6) DEPARTMENT OF FINANCE:

## Director's Office:

For the salary of the Director .....	10,000.00	
For other salaries .....	21,300.00	
For other expenses .....	6,937.50	
For equipment purchases .....	6,600.00	
Total .....		44,837.50

## Division of the Budget:

For salaries .....	28,716.00	
For other expenses .....	5,000.00	
For equipment purchases .....	4,000.00	
Total .....		37,716.00

## Division of Control and Accounts:

For salaries .....	98,628.00	
For other expenses .....	39,543.00	
For equipment purchases .....	3,500.00	
Total .....		141,671.00

## Legal Division:

For salaries, other expenses and equipment purchases .....		15,470.00
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## Division of Purchases and Stores:

For salaries .....	61,624.00	
For other expenses .....	9,000.00	
For equipment purchases .....	1,000.00	
Total .....		71,624.00

## Division of Service:

For salaries .....	150,000.00	
For other expenses .....	130,000.00	
For equipment purchases .....	10,000.00	
Total .....		290,000.00

For equipment purchases in the State Offices for the Executive, Administrative and Judicial Departments .....		10,000.00
Total .....		611,318.50

## (7) DEPARTMENT OF HEALTH:

## (a) For General Health Work:

For the salary of the State Health Officer .....	10,000.00	
For other salaries .....	475,000.00	
For other expenses ..	115,000.00	
Total .....		600,000.00

(b) For study and treatment of cancer .....

125,000.00

(c) For contributions to County Health Units .....

375,000.00

## (d) For Hospital Planning:

For salaries .....	22,000.00	
For other expenses ..	4,000.00	
Total .....		26,000.00

## (e) For Mental Hygiene:

For salaries .....	16,800.00	
For other expenses .....	13,200.00	
Total .....		30,000.00

## (f) For Mental Health:

For Mental Health Clinic for north-east Alabama located in Etowah County .....	7,000.00	
University of Alabama Medical School for instruction in clinical psychology and psychiatry .....		18,000.00

## (g) For Pollution Control:

For salaries .....	32,500.00	
For other expenses .....	14,900.00	
For equipment purchases .....	2,600.00	
Total .....		50,000.00

## (h) For the Administration of Tuberculosis Hospitals:

For salaries .....	14,000.00	
For other expenses .....	8,500.00	
Total .....		22,500.00

(i) For subsidy to counties for treatment of tuberculosis .....

1,971,000.00

## (j) For Tuberculosis Testing:

For salaries .....	37,500.00	
For other expenses .....	32,500.00	
For equipment purchases .....	30,000.00	
Total .....		100,000.00

## (j) Venereal Disease Control:

For salaries .....	30,000.00	
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## REGULAR SESSION

1917

For other expenses .....	20,000.00
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Total .....	50,000.00
Total .....	3,349,500.00

## (8) INDUSTRIAL DEVELOPMENT BOARD:

For salary of Director .....	10,000.00	
For salaries .....	102,980.00	
For other expenses .....	30,600.00	
For equipment purchases .....	22,500.00	
Total .....		166,080.00

## (9) DEPARTMENT OF INDUSTRIAL RELATIONS:

For salaries .....	115,000.00	
For other expenses .....	34,500.00	
For equipment purchases .....	500.00	
Total .....		150,000.00

## (10) DEPARTMENT OF INSURANCE:

For the fiscal year ending September 30, 1956:

For the salary of the Director .....	7,500.00	
For other salaries .....	89,500.00	
For other expenses .....	40,000.00	
For equipment purchases .....	3,000.00	
Total .....		140,000.00

For the fiscal year ending September 30, 1957:

For the salary of Director .....	7,500.00	
For other salaries .....	104,500.00	
For other expenses .....	45,000.00	
For equipment purchases .....	3,000.00	
Total .....		160,000.00

## (11) STATE LABOR DEPARTMENT:

For the fiscal year ending September 30, 1956:

For the salary of the Director .....	9,000.00	
For other salaries .....	30,428.00	
For other expenses .....	13,612.00	
For equipment purchases .....	1,960.00	
Total .....		55,000.00

For the fiscal year ending September 30, 1957:

For the salary of the Director .....	9,000.00	
For other salaries .....	30,428.00	
For other expenses .....	13,072.00	
For equipment purchases .....	2,500.00	
Total .....		55,000.00

## (12) LEGISLATIVE REFERENCE SERVICE:

For the fiscal year ending September 30, 1956:

For the salary of the Director .....	9,000.00
For other salaries .....	32,304.00
For other expenses .....	3,996.00
For equipment purchases .....	1,200.00

Total .....	46,500.00
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For the fiscal year ending September 30, 1957:

For the salary of the Director .....	9,000.00
For other salaries .....	33,004.00
For other expenses .....	3,996.00
For equipment purchases .....	500.00

Total .....	46,500.00
For Legislative Council .....	3,100.00

## (13) MILITARY DEPARTMENT:

For the salary of the Adjutant General .....	7,500.00
For other salaries .....	140,000.00
For other expenses .....	30,000.00
For equipment purchases .....	5,000.00
For Quarterly Allowances .....	203,000.00
For transfer to the Armory Commission for care and maintenance of armories .....	300,000.00
For Active Military Service—Regular .....	40,000.00

(For pay and allowances of Federally recognized Commissioned Officers, Warrant Officers and enlisted personnel of the Active National Guard only, when on Active Military Service as defined in Title 35, Section 39 of the Code of Alabama 1940. This is the total amount of expenditure contemplated in Title 35, Section 117 of the Code of Alabama 1940 as amended and shall be the total amount expended therefor, provided however, that no officer or employee of the State Military Department may draw any pay or allowances from this fund for active duty except as provided in the succeeding, it is further provided that when the Active National Guard and its Federally recognized officers are called into the Active Military Service of the State for the enforcement of the law, the preservation of the peace, or for the security of the rights and lives of

~~citizens or protection of property in~~  
aid and relief of our citizens in disaster, or any similar duty, or any other service that the Governor may for specific reasons so designate, when proclaimed by the Governor as constituting a state of emergency, shall be deemed to be in the Active Military Service of the State, and such amount as is necessary for this service is hereby appropriated.

For Active Military Service — State Militia .....	10,000.00
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(For pay and allowances of officers, Warrant Officers and enlisted Personnel of the State Militia excluding Federally recognized officers, Warrant Officers, and enlisted personnel of the Active National Guard while serving in the Active Military Service of the State for the purpose of enforcing the law, preservation of the peace, for the security of lives of citizens, for aid and relief of our citizens in case of disaster, for the protection of property and for such other purposes as the Governor may, for specific reasons, designate as in the Active Military Service of the State, when ordered to active duty under a proclamation of a state of emergency by the Governor under the provisions of Title 35, Section 54, Code of Alabama 1940. This is the appropriation contemplated in Section 185, Title 35, Code of Alabama 1940 and shall be the maximum amount expended therefor.)

Total .....	735,500.00
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For other salaries, conditional upon the condition of treasury and with the approval of the Governor ..	40,000.00
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For other expenses, conditional upon the condition of the treasury and with the approval of the Governor ..	25,000.00
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For Active Military Service—Regular, conditional upon the condition of the treasury and with the approval of the Governor .....	25,000.00
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Total Conditional .....	90,000.00
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(14) PERSONNEL DEPARTMENT:

For transfer to the Personnel Department:

For the fiscal year ending September 30, 1956 .....	18,117.00
For the fiscal year ending September 30, 1957 .....	18,611.00

## (15) DEPARTMENT OF PUBLIC SAFETY:

For the fiscal year ending September 30, 1956:	
For the salary of the Director .....	10,000.00
For other salaries .....	1,850,000.00
For other expenses ..	659,750.00
For equipment purchases .....	150,000.00
Total .....	2,669,750.00
For the fiscal year ending September 30, 1957:	
For the salary of the Director .....	10,000.00
For other salaries .....	1,875,000.00
For other expenses .....	659,750.00
For equipment purchases .....	150,000.00
Total .....	2,694,750.00

## (16) DEPARTMENT OF PUBLIC WELFARE:

For transfer to Department of Public Welfare for the support, maintenance and operation of the functions of Public Welfare:	
For the fiscal year ending September 30th, 1956 .....	3,700,000.00
For the fiscal year ending September 30th, 1957 .....	3,650,000.00
Conditional upon the condition of the Treasury and with the approval of the Governor .....	3,000,000.00
It is provided that not more than twenty-seven and one-half percentum of the appropriations hereinabove made shall be allotted in any one quarter of a fiscal year.	

## (17) BUREAU OF PUBLICITY AND INFORMATION:

For salaries .....	14,520.00
For other expenses .....	14,400.00
For equipment purchases .....	5,000.00
For tourist advertising .....	50,000.00
Total .....	83,920.00

~~(18) STATE PLANNING BOARD:~~

For salaries .....	33,000.00	
For other expenses .....	17,000.00	
Total .....		50,000.00

## (19) DEPARTMENT OF REVENUE:

For salaries, operation and maintenance expense:		
For the fiscal year ending September 30, 1956 .....		315,738.00
For the fiscal year ending September 30, 1957 .....		322,200.00
For expenses incident to the Equalization Boards:		
For the fiscal year ending September 30, 1956 .....		322,000.00
For the fiscal year ending September 30, 1957 .....		347,000.00

## (20) STATE BOARD OF ADJUSTMENT:

For expenditures by the Board payable from General Fund for the General Fund contribution to the total expenditure of \$150,000.00 pursuant to Title 55, Section 343 .....		10,000.00
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## (21) STATE SECURITIES COMMISSION:

For the fiscal year ending September 30, 1956:		
For salaries .....	11,064.00	
For other expenses .....	740.00	
Total .....		11,804.00
For the fiscal year ending September 30, 1957:		
For salaries .....	12,264.00	
For other expenses .....	740.00	
Total .....		13,004.00

## (22) SOCIAL SECURITY:

For the fiscal year ending September 30, 1956:		
Administrative:		
For salaries .....	14,436.00	
For other expenses .....	5,775.00	
Total .....		20,211.00
For the fiscal year ending September 30, 1957:		

## Administrative:

For salaries .....	14,772.00
For other expenses .....	4,885.00

Total .....	19,757.00
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## (23) STATE TOXICOLOGISTS:

For the fiscal year ending September 30, 1956:

For the salary of the State Toxicologist .....	7,500.00
For other salaries .....	79,686.00
For other expenses .....	28,458.00
For equipment purchases .....	24,366.00

Total .....	140,000.00
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For the fiscal year ending September 30, 1957:

For the salary of the State Toxicologist .....	7,500.00
For other salaries .....	80,878.00
For other expenses .....	28,683.00
For equipment purchases .....	11,300.00

Total .....	128,361.00
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## (24) DEPARTMENT OF VETERAN'S AFFAIRS:

For the fiscal year ending September 30, 1956:

For salary of the Service Commissioner .....	7,500.00
For other salaries .....	326,962.00
For other expenses .....	36,350.00
For equipment purchases .....	7,500.00
For contract with Veterans of Foreign Wars Organizations .....	20,000.00
For contract with Disabled American Veterans Organizations .....	5,000.00
Total .....	403,312.00

For the fiscal year ending September 30, 1957:

For salary of the Service Commissioner .....	7,500.00
For other salaries .....	345,886.00
For other expenses .....	37,400.00
For equipment purchases .....	6,500.00
For contract with Veterans of Foreign Wars Organizations .....	20,000.00
For contract with Disabled American Veterans Organizations .....	5,000.00

Total .....	422,286.00
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## VI. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES:

## (1) DEPARTMENT OF CONSERVATION:

(a) State Parks Fund:

<del>For salaries and other expenses incident to the operation and maintenance of State Parks, and the Division of State Parks, Monuments and Historical Sites and for administration of Department of Conservation</del> .....		86,810.00
Conditional upon the condition of the Treasury and with the approval of the Governor .....		200,000.00
(b) State Lands Fund:		
For salaries and other expense incident to the operation of the Division of State Lands .....		25,000.00
(c) Forestry Fund:		
For salaries and other expenses incident to the operation of the Division of Forestry and for the administration of Department of Conservation .....		250,000.00
For salaries and other expenses incident to the operation of the Division of Forestry and for the administration of Department of Conservation, conditional upon the condition of the Treasury and with the approval of the Governor ....		200,000.00
(2) GEOLOGICAL SURVEY:		
For the fiscal year ending September 30, 1956:		
For the salary of the State Geologist	9,100.00	
For other salaries .....	59,103.00	
For other expenses .....	39,293.00	
For equipment purchases .....	2,000.00	
For matching Federal funds for the investigation of the surface water resources of the State	27,500.00	
For matching Federal funds for the investigation of the ground water resources of the State .....	30,000.00	
Total .....		167,000.00
For the fiscal year ending September 30, 1957:		
For salary of the State Geologist	9,100.00	
For other salaries .....	61,864.00	
For other expenses .....	24,536.00	
For equipment purchases .....	2,000.00	
For matching Federal funds for the investigation of the surface water resources of the State	27,500.00	
For matching Federal funds for the investigation of the ground water resources of the State .....	30,000.00	
Total .....		155,000.00

## (3) STATE SOIL CONSERVATION COMMITTEE:

For salaries .....	9,000.00	
For other expenses .....	11,250.00	
For equipment purchases .....	500.00	
	<hr/>	
Total .....		20,750.00

## (4) FORT MORGAN HISTORICAL SOCIETY:

For salaries .....	10,500.00	
For other expenses .....	20,000.00	
Total .....		30,500.00

## (5) FOR TRANSFER TO AGRICULTURAL FUND:

For salaries, other expenses and equipment purchases for the Department of Agriculture and Industries ..		100,000.00
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## VII. EDUCATION

## (1) INTEREST ON ENDOWMENTS:

For interest on Alabama College Endowment, estimated .....	40,000.00	
For interest on Alabama Polytechnic Institute Endowment .....	20,280.00	
For interest on University of Alabama Endowment .....	61,000.00	
For interest on Grove Hill Endowment .....	600.00	
For interest on Public School Fund Endowments:		
Interest on 16th section lands, estimated .....	173,659.00	
Interest on school indemnity lands, estimated .....	31,596.81	
Interest on valueless 16th section lands .....	5,825.47	
Interest on surplus revenue .....	26,763.47	
Interest on James Wallace Fund .....	275.25	
Total Estimated .....		360,000.00

## (2) ALABAMA SPECIAL EDUCATIONAL TRUST FUND:

For the Minimum Program Fund .....	1,000,000.00
Conditional upon the condition of the treasury and with the approval of the Governor.	

## VIII. HOSPITALS AND CORRECTIONAL FUNCTIONS:

## (1) BOARD OF CORRECTIONS:

For transfer to Board of Corrections for salaries of the employees of the Board .....	1,375,000.00
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## (2) ALABAMA INSANE HOSPITALS:

For the support, maintenance and repair of Alabama Insane Hospitals, an	
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amount to be fixed by the Governor ~~not at not less than \$0.00 per week~~  
nor more than \$13.50 per week, for  
each patient,

For the fiscal year ending September  
30, 1956, estimated ..... 5,284,628.00

For the fiscal year ending September  
30, 1957, estimated ..... 5,436,344.00

Conditional upon the condition of the  
treasury and with the approval of  
the Governor, and amount not in  
excess of \$1.00 per week for each  
patient,

For the fiscal year ending September  
30, 1956, estimated ..... 391,456.00

For the fiscal year ending September  
30, 1957, estimated ..... 402,688.00

For training Psychiatric Nurses ..... 25,000.00

(3) PARTLOW STATE SCHOOL FOR  
MENTAL DEFICIENTS:

For the support, maintenance and re-  
pair of the Partlow State School  
for Mental Deficients, an amount  
to be fixed by the Governor at not  
less than \$6.00 per week nor more  
than \$13.50 per week for each  
patient,

For the fiscal year ending September  
30, 1956, estimated ..... 982,800.00

For the fiscal year ending September  
30, 1957, estimated ..... 1,017,900.00

Conditional upon the condition of the  
treasury and with the approval of  
the Governor, an amount not in  
excess of \$1.00 per week for each  
patient,

For the fiscal year ending September  
30, 1956, estimated ..... 72,800.00

For the fiscal year ending September  
30, 1957, estimated ..... 75,400.00

(4) REMOVAL OF PRISONERS:

For expenses incident to removal of  
prisoners, estimated ..... 20,000.00

(5) FEEDING OF PRISONERS:

For expenses of feeding prisoners in  
county jails, estimated ..... 375,000.00

(6) ARREST OF ABSCONDING  
FELONS:

For expenses incident to the arrest  
of absconding felons, estimated .. 1,000.00

## (7) BOARD OF PARDONS AND PAROLES:

For the fiscal year ending September 30, 1956:

For salaries of Board Members .. . . .	22,500.00
For other salaries .. . . .	236,460.00
For other expenses .. . . .	54,000.00
For equipment purchases .. . . .	12,040.00

Total .. . . .	325,000.00
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For the fiscal year ending September 30, 1957:

For salaries of Board Members .. . . .	22,500.00
For other salaries .. . . .	238,460.00
For other expenses .. . . .	54,000.00
For equipment purchases .. . . .	10,040.00

Total .. . . .	325,000.00
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## IX. DEBT SERVICE:

- |  |            |
|--|------------|
| (1) For interest on Class A. Renewal and Class C. Renewal and Funding Renewal Bonds for the fiscal year ending September 30, 1956 .. . . . | 302,385.00 |
| (2) For Hospital Construction Bond Sinking Fund for the fiscal year ending September 30, 1956 .. . . .                                     | 214,178.00 |
| (3) For Hospital Construction Bond Sinking Fund for the fiscal year ending September 30, 1957 .. . . .                                     | 213,730.00 |
| (4) For interest on Spanish American War Veterans Fund, estimated .. . . .   | 294.86     |

## X. MISCELLANEOUS:

- |  |           |
|--|-----------|
| (1) For advertising lands for tax sale, estimated .. . . .   | 5,000.00  |
| (2) Alabama Agricultural and Industrial Exhibit Commission .. . . .  | 25,000.00 |
| (3) For payment of Attorneys fees in indigent capital cases (as provided in Act No. 176, 1947 Acts, page 61.) .. . . . | 22,500.00 |
| (4) Automatic Appeal Expense as provided in 1943 Acts of Legislature, page 217, estimated .. . . .                     | 3,500.00  |
| (5) Cahaba Historical Commission:  |           |
| To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449 .. . . .                                | 500.00    |
| (6) For civil court costs in connection with ad valorem tax assessment appeals, estimated .. . . .                     | 1,000.00  |

(7) For court costs to be paid by the <del>State of Alabama not otherwise</del> provided for, estimated .....	1,000.00
(8) For distribution of public documents, estimated .....	3,000.00
(9) Departmental Emergency Fund .....	150,000.00
(This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section)	
(10) Employees' Special Pension Fund:	
For the fiscal year ending September 30, 1956 .....	60,000.00
For the fiscal year ending September 30, 1957 .....	65,000.00
(11) Gorgas Memorial Board:	
To provide for the expenditures au- thorized by Act No. 417, 1943 Act, page 383 .....	10,000.00
(12) For expense of Governor's Proclama- tions, estimated:	
For the fiscal year ending September 30, 1956 .....	40,000.00
For the fiscal year ending September 30, 1957 .....	20,000.00
(13) Hall of Fame Board:	
For payment of salaries and expenses	2,100.00
(14) Richmond Pearson Hobson Memorial Board:	
To provide for the expenditures au- thorized by Act No. 536, 1943 Acts, page 510 .....	2,750.00
(15) LaGrange Historical Commission:	
To provide for the expenditures au- thorized by Act No. 551, 1943, Acts, page 540 .....	500.00
(16) For mailing tax notices, estimated ..	3,500.00
(17) Purchase Code Pocket Supplement for the fiscal year ending September 30, 1956, estimated .....	25,000.00
(18) For printing of State and County Privilege Licenses, estimated ....	6,000.00
(19) For registration of voters, estimated:	
For the fiscal year ending September 30, 1956 .....	175,000.00

For the fiscal year ending September 30, 1957 .....		125,000.00
(20) For Spanish War Veterans Encampment .....		1,500.00
(21) First White House of Confederacy, for salaries and other expenses .....		3,140.00
(22) For Bangs Disease Control:		
For salaries .....	40,000.00	
For other expenses .....	60,000.00	
Total .....		100,000.00
This appropriation to be expended at the direction of the State Veterinarian		
(23) For Prevention and Control of Diseases of Swine:		
For salaries .....	43,000.00	
For other expenses .....	53,000.00	
For equipment purchases .....	4,000.00	
Total .....		100,000.00
This appropriation to be expended at the direction of the State Veterinarian		
(24) For Southern Regional Council on Mental Health Training and Research .....		8,000.00

## FROM FUNDS OTHER THAN GENERAL FUND

## XI. AERONAUTICS DEPARTMENT:

For the fiscal year ending September 30, 1956:		
For salary of the Director .....	7,200.00	
For other salaries .....	25,884.00	
For other expenses .....	14,763.00	
For equipment purchases .....	7,434.00	
Total .....		55,281.00
For State aid for Airports—For Airports and Air-marking .....		150,000.00
For the fiscal year ending September 30, 1957:		
For salary of the Director .....	7,200.00	
For other salaries .....	25,884.00	
For other expenses .....	14,763.00	
For equipment purchases .....	3,000.00	
Total .....		50,847.00
For State aid for Airports—For Airports and Airmarking .....		125,000.00

The above appropriations shall be paid ~~out of the receipts to the State~~ Airports Development Fund as provided in Act No. 402, approved July 9, 1945, and the amounts appropriated herein shall be the maximum expenditures pursuant thereto.

## XII. AGRICULTURE AND INDUSTRIES:

### A. ADMINISTRATIVE OPERATIONS:

For the fiscal year ending September 30, 1956:

For salary of the Commissioner .....	8,400.00	
For other salaries .....	596,700.00	
For other expenses .....	240,000.00	
For equipmnt purchases .....	25,000.00	
For awarding prizes and premiums	35,000.00	
For White Fringed Beetle Control:		
For salaries, other expenses and		
equipment purchases .....	12,000.00	
For Purchase of necessary insecti-		
cides for the control and eradica-		
tion of the White Fringed Beetle .	15,000.00	
Total .....		932,100.00

For the fiscal year ending September 30, 1957:

For salary of the Commissioner .....	8,400.00	
For other salaries .....	597,900.00	
For other expenses .....	240,000.00	
For equipment purchases .....	25,000.00	
For awarding prizes and premiums ..	35,000.00	
For White Fringed Beetle Control:		
For salaries, other expenses and		
equipment purchases .....	12,000.00	
For purchase of necessary insecti-		
cides for the control and eradica-		
tion of the White Fringed Beetle..	15,000.00	
Total .....		933,300.00

(The above appropriations are payable from funds in the Agricultural Fund and shall be the maximum amounts expended therefrom for operation and shall include the appropriation made in Section VI, subsection (5) in this Act.

### B. TRANSFER OF FUNDS FROM AGRICULTURAL FUND:

For the fiscal year ending September 30, 1956:

1. Transfer to Agricultural Center Board for operation and debt service .....	95,100.00
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2. Transfer to Agricultural Center Board for operation of Livestock Coliseum .....	25,000.00	
3. Transfer to Shipping Point Inspection Fund .....	15,000.00	
4. Transfer to State Personnel Department .....	2,739.00	
	<hr/>	
Total .....		137,839.00

For the fiscal year ending September 30, 1957:

1. Transfer to Agricultural Center Board for operation and debt service .....	93,900.00	
2. Transfer to Agricultural Center Board for operation of Livestock Coliseum .....	25,000.00	
3. Transfer to Shipping Point Inspection Fund .....	15,000.00	
4. Transfer to State Personnel Department .....	2,814.00	
	<hr/>	
Total .....		136,714.00

#### C. EGG INSPECTION DIVISION:

For the fiscal year ending September 30, 1956:

For salaries, other expenses and equipment purchases .....	60,000.00
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For the fiscal year ending September 30, 1957:

For salaries, other expenses and equipment purchases .....	100,000.00
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(The above appropriations are payable from funds in the Egg Inspection Fund and shall be the maximum amounts expended therefrom.)

#### D. AGRICULTURAL CENTER BOARD:

For the fiscal year ending September 30, 1956:

For salaries .....	13,950.00
For other expenses .....	5,850.00
For equipment purchases .....	200.00
For debt service on Coliseum Bonds ..	75,100.00
	<hr/>
Total .....	95,100.00

For the fiscal year ending September 30, 1957:

For salaries .....	14,310.00
For other expenses .....	5,490.00

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For equipment purchases .....	200.00	
<del>For debt service on Coliseum Bonds ..</del>	<del>73,900.00</del>	
Total .....		93,900.00

(The above appropriation to the Agricultural Center Board shall be paid out of the Agricultural Center Board Fund.)

## E. LIVESTOCK COLISEUM:

For salaries, other expenses and equipment purchases .....	90,000.00
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(The fund hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation hereinabove includes the appropriation made to said fund as provided in Item XII B.)

## XIII. ALCOHOLIC BEVERAGE CONTROL BOARD:

## A. ADMINISTRATIVE AND STORES DIVISION:

For the fiscal year ending September 30, 1956:

For salary of administrator .....	10,000.00	
For other salaries .....	1,856,944.00	
For other expenses (transportation costs for merchandise excluded) ..	503,300.00	
For equipment purchases .....	58,390.00	
For additions and betterments .....	8,000.00	
For transfer to State Personnel Department .....	8,393.00	
For transportation costs on merchandise, estimated .....	125,000.00	
Total estimated .....		2,570,027.00

For the fiscal year ending September 30, 1957:

For salary of administrator .....	10,000.00	
For other salaries .....	1,890,988.00	
For other expenses (transportation costs for merchandise excluded) ..	512,100.00	
For equipment purchases .....	31,196.00	
For additions and betterments .....	5,000.00	
For transfer to State Personnel Department .....	8,622.00	
For transportation costs on merchandise, estimated .....	125,000.00	
Total estimated .....		2,582,906.00

In addition to the above appropriation herein made there is hereby ap-

appropriated for each additional retail store put into operation during each fiscal year, an amount equal to the sum required to install the last comparable retail store put into operation by said Board. Provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

**B. LAW ENFORCEMENT DIVISION:**

For salaries .....	300,000.00	
For other expenses .....	168,000.00	
For equipment purchases .....	20,000.00	
	<hr/>	
Total .....		488,000.00

**C. COMMISSION ON EDUCATION WITH RESPECT TO ALCOHOLISM:**

For the fiscal year ending September 30, 1956:		
For salaries .....	4,360.00	
For other expenses .....	3,580.00	
For equipment purchases .....	2,500.00	
	<hr/>	
Total .....		10,440.00
For the fiscal year ending September 30, 1957:		
For salaries .....	4,360.00	
For other expenses .....	6,080.00	
	<hr/>	
Total .....		10,440.00

**D. FOR TEMPERANCE EDUCATION ... 25,000.00**

(The appropriations hereinabove made to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.)

**E. BEER TAX AND LICENSE DIVISION:**

For the fiscal year ending September 30, 1956:



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For salaries .....	138,302.00	
For other expenses .....	81,790.00	
For equipment purchases .....	1,000.00	

Total .....		221,092.00
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For the fiscal year ending September 30, 1957:

For salaries .....	149,615.00	
For other expenses .....	83,790.00	
For equipment purchases .....	1,000.00	
Total .....		234,405.00

(This appropriation hereinabove made to the Alcoholic Beverage Control Board shall be paid out of the gross proceeds from the licenses, permits, and tax on malt beverages.)

## XIV. ALABAMA STATE BAR ASSOCIATION:

For salaries, other expenses and equipment purchases .....	34,000.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

## XV. DEPARTMENT OF CONSERVATION:

## A. ADMINISTRATIVE DIVISION:

For the fiscal year ending September 30, 1956:

For the salary of the Director .....	10,000.00	
For other salaries .....	168,696.00	
For other expenses .....	80,277.00	
For equipment purchases .....	20,000.00	
For transfer to Personnel Department.	9,108.00	
Total .....		288,081.00

For the fiscal year ending September 30, 1957:

For the salary of the Director .....	10,000.00	
For other salaries .....	168,696.00	
For other expenses .....	80,029.00	
For equipment purchases .....	20,000.00	
For transfer to Personnel Department	9,356.00	
Total .....		288,081.00

## B. STATE FORESTRY DIVISION:

For salaries .....	847,000.00
For other expenses and equipment purchases .....	397,000.00

For additions and betterments .....	24,000.00	
For transfer to Conservation Department-Administrative Account .....	110,000.00	
	<hr/>	
<b>Total .....</b>		<b>1,378,000.00</b>

The funds hereinabove appropriated to the State Forestry Division shall be paid out of the State Forestry Fund. In the event of an emergency, so determined by the Director of Conservation and the Governor, the Director of Conservation with the approval of the Governor, is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Division of Forestry.

#### C. GAME AND FISH DIVISION:

For salaries .....	695,532.00	
For other expenses .....	476,100.00	
For equipment purchases .....	100,000.00	
For additions and betterments .....	475,000.00	
For transfer to Conservation Department-Administrative Account .....	110,000.00	
	<hr/>	
<b>Total .....</b>		<b>1,856,632.00</b>

The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.

#### D. STATE LANDS DIVISION:

For salaries .....	35,316.00	
For other expenses .....	15,184.00	
For equipment purchases .....	2,000.00	
	<hr/>	
<b>Total .....</b>		<b>52,500.00</b>

The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund.

#### E. STATE PARKS DIVISION:

For salaries .....	105,000.00	
For other expenses .....	93,000.00	
For equipment purchases .....	15,000.00	
For additions and betterments .....	40,000.00	
For transfer to Conservation Department-Administrative Account .....	33,190.00	
	<hr/>	
<b>Total .....</b>		<b>286,190.00</b>

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund

~~and the appropriation hereinabove~~  
made includes the appropriation  
made to the said fund as provided  
in Item VI (1) in this Act.

## F. SEAFOODS DIVISION:

For the fiscal year ending September  
30, 1956:

For salaries .....	61,608.00	
For other expenses .....	59,150.00	
For equipment purchases .....	48,000.00	
For additions and betterments .....	130,000.00	
For transfer to Conservation Dept.-Ad- ministrative Account .....	37,842.00	
<b>Total .....</b>		<b>336,600.00</b>

For the fiscal year ending September  
30, 1957:

For salaries .....	61,608.00	
For other expenses .....	54,400.00	
For equipment purchases .....	10,000.00	
For additions and betterments .....	125,000.00	
For transfer to Conservation Depart- ment-Administrative Account ....	37,842.00	
<b>Total .....</b>		<b>288,850.00</b>

For the fiscal year ending September  
30, 1956:

**Total .....** **4,197,903.00**

For the fiscal year ending September  
30, 1957:

**Total .....** **4,150,153.00**

The funds hereinabove appropriated to  
the Seafood Division shall be paid  
out of the Seafood Fund.

## XVI. BOARD OF CORRECTIONS:

For the fiscal year ending September  
30, 1956:

For the salary of the Commissioner ..	12,000.00	
For transfer to the State Personnel De- partment .....	4,752.00	
For other salaries and expenses incident to the operation and maintenance of the convict system of Alabama, so much as may be necessary.		

For the fiscal year ending September  
30, 1957:

For the salary of the Commissioner ..	12,000.00	
For transfer to State Personnel Depart- ment .....	4,881.00	

For other salaries and expenses incident to the operation and maintenance of the convict system of Alabama, so much as may be necessary.

The above appropriation to the Board of Corrections shall be paid out of all of the receipts from the administration of the department, including the labor of the convicts, and all other funds appropriated.

#### XVII. DENTAL ASSOCIATION:

For salaries, other expenses and equipment purchases .....	2,600.00
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#### XVIII. ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department:

For the fiscal year ending September 30, 1956 .....	5,203.00
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For the fiscal year ending September 30, 1957 .....	5,345.00
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The above appropriation shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board

#### XIX. HEALTH DEPARTMENT:

##### 1. Hospital Licensing:

For the fiscal year ending September 30, 1956:

For salaries .....	8,280.00	
For other expenses .....	4,000.00	
Total .....		12,280.00

For the fiscal year ending September 30, 1957:

For salaries .....	8,712.00	
For other expenses .....	4,000.00	
Total .....		12,712.00

The above appropriations are payable from funds in the Hospital Licensing Fund and shall be the maximum amounts expended therefrom.

##### 2. Bureau of Vital Statistics:

For salaries .....	45,300.00
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The above appropriations are payable from the funds in the Vital Statistics Fund and shall be the maximum amounts expended therefrom.

**XX. HIGHWAYS AND BRIDGES:**

For interest and sinking funds on outstanding highway bonds, so much of the gasoline taxes and motor vehicle licenses collected as may be necessary to pay the same; and for the compensation of the State Highway Director, \$10,000.00; for transfer to the State Personnel Department, \$34,452.00 for the fiscal year ending September 30, 1956 and \$35,392.00 for the fiscal year ending September 30, 1957; for maintenance and construction of roads and bridges, for salaries and for other expenses of the Highway Department, the residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to the Highway Department by virtue of Federal aid.

**XXI. DEPARTMENT OF INDUSTRIAL RELATIONS:**

For salary of the Director, estimated .....	10,000.00
For transfer to the State Personnel Department:	
For the fiscal year ending September 30, 1956 .....	8,140.00
For the fiscal year ending September 30, 1957 .....	8,362.00
For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation and for such other funds, services and operations for which the United States Government may provide monies: there is hereby appropriated, in addition to the amount appropriated herein in Item V (9), all such sums as the United States Government may make available therefor.	

**XXII. STATE INSURANCE FUND:**

For the fiscal year ending September 30, 1956:	
For salaries .....	46,436.00
For other expenses .....	16,877.00
For equipment purchases .....	6,750.00
Total .....	70,063.00
For the fiscal year ending September 30, 1957:	
For salaries .....	48,584.00
For other expenses .....	18,877.00
For equipment purchases .....	8,200.00
Total .....	75,661.00
The above appropriation is payable out of the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title 28, Section 325, Code of Alabama 1940.	

**XXIII. LAW ENFORCEMENT:**

To carry out the provisions of Sections 251 and 260 of Title 29, Code of Ala- bama 1940, estimated .....	8,000.00
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**XXIV. STATE LICENSING BOARD FOR  
GENERAL CONTRACTORS:**

For the fiscal year ending September 30,  
1956:

For salaries .....	18,060.00	
For other expenses .....	11,496.40	
For equipmnet purchases .....	300.00	
Total .....		29,856.40

For the fiscal year ending September 30,  
1957:

For salaries .....	18,060.00	
For other expenses .....	11,496.40	
For equipment purchases .....	500.00	
Total .....		30,056.40

In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

The above appropriation is payable out of the funds in the State Treasury to the credit of the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

**XXV. LIQUIFIED PETROLEUM GAS COM-  
MISSION:**

For salaries of three commissioners .....	7,500.00	
For other salaries .....	12,180.00	
For other expenses .....	6,085.00	
Total .....		25,765.00

The above appropriation is payable from funds in the State Treasury to the credit of the Liquified Petroleum Gas Fund and shall be the maximum amounts expended therefrom.

**XXVI. ALABAMA MILK CONTROL BOARD:**

For the fiscal year ending September 30,  
1956:

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<del>For salaries</del> .....	<del>52,932.00</del>	
For other expenses .....	32,300.00	
For equipment purchases .....	3,000.00	

<b>Total</b> .....		<b>88,232.00</b>
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For the fiscal year ending September 30,  
1957:

For salaries .....	56,652.00	
For other expenses .....	32,300.00	
For equipment purchases .....	2,500.00	

<b>Total</b> .....		<b>91,452.00</b>
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The above appropriation shall be paid out  
of the Milk Control Board Fund as is  
provided in Title 22, Chapter 7, Code  
of Alabama 1940.

#### XXVII. BOARD OF NURSES EXAMINERS AND REGISTRATION:

For the fiscal year ending September 30,  
1956:

For salaries .....	18,364.00	
For other expenses .....	9,977.00	
For equipment purchases .....	1,000.00	

<b>Total</b> .....		<b>29,841.00</b>
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For the fiscal year ending September 30,  
1957:

For salaries .....	19,683.00	
For other expenses .....	9,470.00	
For equipment purchases .....	1,500.00	

<b>Total</b> .....		<b>30,653.00</b>
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The above appropriation is payable out of  
the funds in the State Treasury to  
the credit of the State Board of  
Nurses' Examiners and Registration as  
provided in Title 46, Chapter 10, Code  
of Alabama 1940, as amended.

#### XXVIII. OIL AND GAS BOARD:

For the fiscal year ending September 30,  
1956:

For salaries .....	32,616.00	
For other expenses .....	15,687.50	
For equipment purchases .....	5,500.00	
For salaries and expenses incurred in open- ing new oil fields .....	10,000.00	

<b>Total</b> .....		<b>63,803.50</b>
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For the fiscal year ending September 30,  
1957:

For salaries .....	33,843.75	
For other expenses .....	15,687.50	
For equipment purchases .....	5,500.00	
For salaries and expenses incurred in opening new oil fields .....	15,000.00	
<b>Total .....</b>		<b>70,031.25</b>

The above appropriation is payable out of the funds in the State Treasury to the credit of the Oil and Gas Fund pursuant to the provisions of Act No. 1, approved May 22, 1945.

#### XXIX. PENSIONS:

1. For Confederate veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows.

##### 2. PENSION COMMISSION:

For the fiscal year ending September 30, 1956:		
For salaries .....	4,200.00	
For other expenses .....	400.00	
For equipment purchases .....	300.00	
<b>Total .....</b>		<b>4,900.00</b>
For the fiscal year ending September 30, 1957:		
For salaries .....	4,200.00	
For other expenses .....	400.00	
<b>Total .....</b>		<b>4,600.00</b>

The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, of the Code of Alabama 1940.

#### XXX. PERSONNEL DEPARTMENT:

For the fiscal year ending September 30, 1956:		
For salary of the Director .....	7,500.00	
For other salaries .....	81,000.00	
For other expenses .....	16,000.00	
For equipment purchases .....	1,000.00	
<b>Total .....</b>		<b>105,500.00</b>
For the fiscal year ending September 30, 1957:		
For salary of the Director .....	7,500.00	
For other salaries .....	83,500.00	
For other expenses .....	16,000.00	
For equipment purchases .....	1,500.00	
<b>Total .....</b>		<b>108,500.00</b>



~~The above appropriation shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.~~

### XXXI. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258, and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided however, not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

### XXXII. PHYSICIANS' ASSOCIATION:

For salaries, other expenses and equipment purchases .....	12,500.00
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### XXXIII. ALABAMA PUBLIC SERVICE COMMISSION:

For salary of President and Two Associate Commissioners .....	21,300.00	
For other salaries .....	117,228.00	
For other expenses .....	58,767.00	
For equipment purchases .....	6,000.00	
Total .....		203,295.00

The above appropriation to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carriers or motor transportation companies as are now or may be set aside by law to be used by the Commission; and all receipts from fees and taxes paid to the Alabama Public Service Commission in excess of \$50,000.00 at the end of each fiscal year shall revert to the General Fund in the State Treasury.

### XXXIV. DEPARTMENT OF PUBLIC WELFARE:

For the salary of the Commissioner .....	10,000.00
For transfer to the State Personnel Department:	
For the fiscal year ending September 30, 1956 .....	10,879.00
For the fiscal year ending September 30, 1957 .....	11,176.00
For other salaries and expenses incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated, in addition to the amounts set out in Item V (16) all Federal, State, County and Municipal funds made available therefor, pro-	

vided that not more than the sum of two million dollars (\$2,000,000.00) of the State funds made available for welfare purposes may be used for administrative purposes of the Department, provided further, that not more than twenty-seven and one-half percentum of the State funds made available for welfare purposes may be allotted in any one quarter of a fiscal year.

**XXXV. ALABAMA REAL ESTATE COMMISSION:**

For the fiscal year ending September 30, 1956:

For salaries .....	18,204.00
For other expenses .....	17,085.00
For equipment purchases .....	1,200.00

Total .....	36,489.00
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For the fiscal year ending September 30, 1957:

For salaries .....	18,684.00
For other expenses .....	16,885.00
For equipment purchases .....	500.00

Total .....	36,069.00
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The above appropriation shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, of the Code of Alabama 1940, as amended, and the amounts appropriated herein shall be the maximum expenditure pursuant thereto.

**XXXVI. STATE BOARD OF REGISTRATION FOR ARCHITECTS:**

For the fiscal year ending September 30, 1956:

For salaries .....	900.00
For other expenses .....	1,702.50

Total .....	2,602.50
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For the fiscal year ending September 30, 1957:

For salaries .....	900.00
For other expenses .....	1,710.00
For equipment purchases .....	120.00

Total .....	2,730.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the State Board of Registra-

tion for Architects pursuant to Title  
46, Chapter 2, Code of Alabama 1940,  
as amended.

**XXXVII. STATE BOARD OF REGISTRATION  
FOR PROFESSIONAL ENGINEERS AND  
LAND SURVEYORS:**

For the fiscal year ending September 30,  
1956:

For salaries .....	11,340.00	
For other expenses .....	6,725.00	
For equipment purchases .....	400.00	
<b>Total .....</b>		<b>18,465.00</b>

For the fiscal year ending September 30,  
1957:

For salaries .....	11,880.00	
For other expenses .....	7,725.00	
For equipment purchases .....	500.00	
<b>Total .....</b>		<b>20,105.00</b>

The above appropriation is payable out of  
the funds in the State Treasury to the  
credit of the Professional Engineers  
Fund as provided in Title 46, Chapter 7,  
Code of Alabama 1940, as amended.

**XXXVIII. DEPARTMENT OF REVENUE:**

For the Administrative Account of the  
Department of Revenue there is hereby  
transferred from the General Fund  
and appropriated as provided in Item  
V (19) of this Act,

For the fiscal year ending September 30, 1956 .....	315,738.00
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For the fiscal year ending September 30, 1957 .....	322,200.00
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There is hereby appropriated for transfer  
to Revenue Department, Administrative  
Account, from the gross proceeds of  
Coal Tonnage Tax collections as part  
of the cost of operating said Depart-  
ment,

For the fiscal year ending September 30, 1956 .....	17,539.00
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For the fiscal year ending September 30, 1957 .....	17,898.00
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There is hereby appropriated for transfer to  
Revenue Department, Administrative  
Account, from the gross proceeds of  
Financial Institutions Excise Tax col-  
lections as part of the cost of operat-  
ing said Department,

For the fiscal year ending September 30, 1956 .....	26,176.00
For the fiscal year ending September 30, 1957 .....	26,712.00
There is hereby appropriated for transfer to Revenue Department, Administra- tive Account, from the gross proceeds of Gasoline Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1956 .....	110,000.00
For the fiscal year ending September 30, 1957 .....	110,000.00
There is hereby appropriated for transfer to Revenue Department, Administra- tive Account, from Income Tax collec- tions, for the cost of collecting said tax,	
For the fiscal year ending September 30, 1956 .....	445,000.00
For the fiscal year ending September 30, 1957 .....	445,000.00
There is hereby appropriated for transfer to Revenue Department, Administra- tive Account, from the gross proceeds of Mileage Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1956 .....	90,000.00
For the fiscal year ending September 30, 1957 .....	90,000.00
There is hereby appropriated for transfer to Revenue Department, Administra- tive Account, from the gross proceeds of Motor Fuel Tax collections as part of the cost of operating said Depart- ment,	
For the fiscal year Ending September 30, 1956 .....	60,000.00
For the fiscal year ending September 30, 1957 .....	60,000.00
There is hereby appropriated for transfer to Revenue Department, Administra- tive Account, from the gross proceeds of Motor Vehicle License collections as part of the cost of operating said De- partment.	
For the fiscal year ending September 30, 1956 .....	391,400.00
For the fiscal year ending September 30, 1957 .....	420,900.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Iron Ore Tonnage Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	3,467.00
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For the fiscal year ending September 30, 1957 .....	3,538.00
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There is hereby appropriated for transfer to the Revenue Department, Administrative Account, from the Public School Fund as part of the cost of collection of the 3-mill ad valorem tax,

For the fiscal year ending September 30, 1956 .....	70,317.00
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For the fiscal year ending September 30, 1957 .....	71,756.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Sales Tax Collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	1,249,103.00
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For the fiscal year ending September 30, 1957 .....	1,274,670.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Store License Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	18,066.00
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For the fiscal year ending September 30, 1957 .....	18,436.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Tobacco Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 .....	227,010.00
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For the fiscal year ending September 30, 1957 .....	231,656.00
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There is hereby appropriated for transfer to Revenue Department, Administrative

tive Account, from the gross proceeds of Use Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1956 ..... 100,184.00

For the fiscal year ending September 30, 1957 ..... 102,234.00

There is hereby appropriated for transfer to Revenue Department Administrative Account, from the gross proceeds from the tax collections under the provisions of the Constitutional Amendment proposed by H.B. 683, conditional upon the ratification of said Constitutional Amendment ..... 225,000.00

For the fiscal year ending September 30, 1956:

Total ..... 3,124,000.00

For the fiscal year ending September 30, 1957:

Total ..... 3,195,000.00

Total Conditional ..... 225,000.00

#### DEPARTMENT OF REVENUE—ADMINISTRATIVE ACCOUNT:

For fiscal year ending September 30, 1956:

For the salary of the Commissioner ..... 10,000.00

For other salaries ..... 1,896,590.00

For other expenses ..... 1,056,900.00

For equipment purchases ..... 33,000.00

For transfer to State Personnel Department ..... 4,510.00

Total ..... 3,001,000.00

For the fiscal year ending September 30, 1957:

For the salary of the Commissioner ..... 10,000.00

For other salaries ..... 1,941,267.00

For other expenses ..... 1,091,100.00

For equipment purchases ..... 25,000.00

For transfer to State Personnel Department ..... 4,633.00

Total ..... 3,072,000.00

For salaries, other expenses and equipment purchases incident to the maintenance and operation of the Department of Revenue in collecting the taxes levied under the provision of the constitutional amendment proposed by HB 683, conditional upon the ratification of said constitutional amendment ....

225,000.00

The amounts hereinabove appropriated for ~~the cost of maintenance and operation~~ of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by Local Acts of the Legislature as a charge for the collection of Taxes or licenses.

**XXXIX. STATE BOARD OF VETERINARY  
MEDICAL EXAMINERS:**

For salaries .....	100.00	
For other expenses .....	2,900.00	
	<hr/>	
Total .....		3,000.00

The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

**XL. SHIPPING POINT INSPECTION:**

For the payment of expenses and salaries incident to operation of Shipping Point Inspection of Department of Agriculture and Industries .....	15,000.00
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(This is the appropriation contemplated in Item XII B (3) )

In addition to the above appropriation, there is also hereby appropriated for Shipping Point Inspection, all fees and charges collected by the Commissioner of Agriculture and Industries under the provisions of Title 2, Chapter 1, Article 25, Code of Alabama 1940, pursuant to an agreement with the U. S. Department of Agriculture whereby cooperative Federal-State shipping point and terminal market inspection services for grading and classification of agricultural commodities are performed.

The above appropriation shall be paid out of the receipts to the Shipping Point Inspection Fund.

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision

has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission, or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and that in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for these appropriations designated as 'estimated', and all appropriations herein made except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school, or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts, or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities, or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made, not in and of itself unconstitutional or invalid.

Section 8. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be, and the same are hereby expressly repealed.

Section 9. That this Act shall become effective on October 1, 1955.

On motion of Mr. Hawkins, a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the bill, H. 206.

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Brown (Lamar), Davis and Branyon.



## BILLS ON THIRD READING RESUMED

~~MOTION ADOPTED~~

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bills, S. 293 and S. 338, was adopted.

And the bill:

S. 293. To amend Section 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System. Was read a third time at length and passed.

Yeas 96; Nays 0.

## Yeas:

Mr. Speaker	Dickson	Kendall	Nolen
Adams	Edwards (Escambia)	Killough	Oakley
Albea	Edwards (Jefferson)	Kirkham	Oden
Ashworth	Faulk	Lackey	Payne
Bassett	Ferrell	Law	Perry
Boyd	Franklin	Lee (Barbour)	Pruitt
Bradford	Gilchrist	Lee (Lawrence)	Ramey
Brannan	Gist	Locke (Choctaw)	Reynolds
Branyon	Gregory	Locke (Perry)	Richardson
Brewer	Grouby	Love	Roberts
Broadfoot	Hall	McClendon	Selman
Brooks	Haltom	McKay	Shumate
Brown (Lamar)	Hanby	McLendon	Simon
Brown (Lee)	Hare	McNider	Speaks
Burkhalter	Harrison	Martin	Steagall
Callahan	Harvey	Mathews	Stembridge
Cornett	Hawkins	Mathison	Stokes
Cox	Hodges	Meeks	Summerlin
Crook	Holliman	Merrill	Taylor
Davis	Huddleston	Molette	Thomas
Dawkins	Hunt	Money	Tyson
deGraffenried	Johnson (Elmore)	Murphy	Vacca
Dement	Johnson (Tallapoosa)	Nettles	Ward
DeSear	Kaul	Nice	Windle

—96

And the bill:

S. 338 (with substitute). To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

WAYS AND MEANS SUBSTITUTE FOR  
SENATE BILL 338

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 728 of Title 51, Code of Alabama 1940, as amended.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 728, Title 51, Code of Alabama 1940, as amended, is hereby amended so as to read as follows:

Section 728. The Department of Revenue is hereby authorized and directed to have prepared and distributed stamps suitable for denoting the tax on all articles enumerated herein. Any person, firm, corporation, or association of persons, other than the Department of Revenue, who sells tobacco tax stamps, not affixed to tobacco sold and delivered by them, whether the said stamps be genuine or counterfeit, shall be guilty of a felony and punishable as set out in Section 734 of this title. When wholesalers or jobbers have qualified as such with the Department of Revenue as provided in Section 730 of this title, and desire to purchase stamps as prescribed herein for use on taxable tobaccos sold and delivered by them, the Department of Revenue shall allow on such sales of tobacco tax stamps a discount of three percent (3%) on the entire amount of the sale. Provided, that where wholesalers or jobbers are entitled to purchase stamps at a discount as herein provided, instead of the Department of Revenue selling such stamps to such jobbers or wholesalers for cash, it may consign such stamps, if and when such wholesaler or jobber shall give to the Department of Revenue a good and sufficient bond executed by some surety company authorized to do business in this State, conditioned to secure the payment for the stamps so consigned when and as they are used on manufactured tobacco products by such wholesaler or jobber. Every wholesaler or jobber purchasing stamps on consignment as described herein, shall be required to make a full and complete accounting and remittance on or before the twentieth of each month for all stamps used on taxable tobaccos during the preceding month. Every wholesaler or jobber refusing or failing to comply with this Section shall forfeit the commission or discount on stamps used which he failed or refused to account or remit for in the time allowed, and in addition shall be charged interest on such delinquent amount for each day delinquent at the rate of eight percent per annum.

On motion of Mr. Richardson the substitute reported by the Standing Committee on Ways and Means was laid upon the table.

Yeas 47; Nays 39.

**Yeas:**

Messrs.	Dickson	Kendall	Oakley
Adams	Edwards (Jefferson)	Kirkham	Payne
Albea	Faulk	Lackey	Perry
Boyd	Franklin	Lee (Barbour)	Reynolds
Brannan	Gilchrist	Lee (Lawrence)	Richardson
Branyon	Gist	McKay	Roberts
Brewer	Haltom	McLendon	Steagall
Broadfoot	Harrison	Martin	Stembridge
Callahan	Jenkins	Mathews	Stokes
Cox	Johnson (Elmore)	Merrill	Thomas
Crook	Johnson (Tallapoosa)	Murphy	Tyson
deGraffenried	Kaul	Nettles	Vacca

**Nays:**

Mr. Speaker	Brooks	Davis	Edwards (Escambia)
Ashworth	Brown (Lamar)	Dawkins	Ferrell
Bassett	Brown (Lee)	Dement	Goodwyn
Bradford	Cornett	DeSear	Gregory

Grouby	Holliman	McClendon	Selman
Hall	Hunt	McNider	Shumate
Hare	Killough	Mathison	Simon
Harvey	Locke (Choctaw)	Molette	Taylor
Hawkins	Locke (Perry)	Money	Ward
Hodges	Love	Nolen	

—39

Mr. Dawkins offered the following substitute for the bill, S. 338:  
Substitute for S. B. 338:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 728 of Title 51, Code of Alabama 1940, as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 728, Title 51, Code of Alabama 1940, as amended, is hereby amended so as to read as follows:

Section 728. The Department of Revenue is hereby authorized and directed to have prepared and distributed stamps suitable for denoting the tax on all articles enumerated herein. Any person, firm, corporation, or association of persons, other than the Department of Revenue, who sells tobacco tax stamps, not affixed to tobacco sold and delivered by them, whether the said stamps be genuine or counterfeit, shall be guilty of a felony and punishable as set out in Section 734 of this title. When wholesalers or jobbers have qualified as such with the Department of Revenue as provided in Section 730 of this title, and desire to purchase stamps as prescribed herein for use on taxable tobaccos sold and delivered by them, the Department of Revenue shall allow on such sales of tobacco tax stamps a discount of five percent (5%) on the entire amount of the sale. Provided, that where wholesalers or jobbers are entitled to purchase stamps at a discount as herein provided, instead of the Department of Revenue selling such stamps to such jobbers or wholesalers for cash, it may consign such stamps, if and when such wholesaler or jobber shall give to the Department of Revenue a good and sufficient bond executed by some surety company authorized to do business in this State, conditioned to secure the payment for the stamps so consigned when and as they are used on manufactured tobacco products by such wholesaler or jobber. Every wholesaler or jobber purchasing stamps on consignment as described herein, shall be required to make a full and complete accounting and remittance on or before the twentieth of each month for all stamps used on taxable tobaccos during the preceding month. Every wholesaler or jobber refusing or failing to comply with this Section shall forfeit the commission or discount on stamps used which he failed or refused to account or remit for in the time allowed, and in addition shall be charged interest on such delinquent amount for each day delinquent at the rate of eight percent per annum.

The motion of Mr. Brewer to lay on the table the substitute offered by Mr. Dawkins was lost.

Yeas 40; Nays 51.

**Yeas:**

Messrs.	Brewer	Edwards (Jefferson)	Gilchrist
Adams	Callahan	Faulk	Gist
Albea	deGraffenried	Franklin	Haltom

Hardy	Lee (Barbour)	Payne	Steagall
Harrison	McKay	Perry	Stembridge
Holliman	McNider	Pirkle	Stokes
Jenkins	Merrill	Ramey	Thomas
Johnson (Tallapoosa)	Molette	Reynolds	Tyson
Kaul	Nettles	Richardson	Vacca
Kirkham	Oakley	Roberts	Ward
Lackey			

—40

**Nays:**

Mr. Speaker	Crook	Hawkins	Martin
Ashworth	Davis	Hodges	Mathews
Boyd	Dawkins	Huddleston	Mathison
Bradford	Dement	Hunt	Money
Brannan	DeSear	Johnson (Elmore)	Murphy
Branyon	Dickson	Kendall	Nolen
Brassell	Edwards (Escambia)	Killough	Oden
Broadfoot	Ferrell	Lee (Lawrence)	Selman
Brooks	Goodwyn	Locke (Choctaw)	Shumate
Brown (Lamar)	Gregory	Locke (Perry)	Simon
Brown (Lee)	Grouby	Love	Speaks
Burkhalter	Hall	McClendon	Taylor
Cox	Hare	McLendon	

—51

And the substitute offered by Mr. Dawkins was adopted.  
Yeas 65; Nays 28.

**Yeas:**

Mr. Speaker	DeSear	Huddleston	Money
Ashworth	Dickson	Hunt	Murphy
Boyd	Edwards (Escambia)	Johnson (Elmore)	Nice
Bradford	Ferrell	Killough	Nolen
Brannan	Gilchrist	Lee (Lawrence)	Oden
Branyon	Gist	Locke (Choctaw)	Ramey
Brassell	Goodwyn	Locke (Perry)	Richardson
Broadfoot	Gregory	Love	Selman
Brooks	Grouby	McClendon	Shumate
Brown (Lamar)	Hain	McLendon	Simon
Brown (Lee)	Hall	McNider	Speaks
Burkhalter	Hardy	Martin	Steagall
Cox	Hare	Mathews	Stembridge
Crook	Harrison	Mathison	Summerlin
Davis	Hawkins	Meeks	Taylor
Dawkins	Hodges	Molette	Ward
Dement			

—65

**Nays:**

Messrs.	Franklin	Kirkham	Payne
Adams	Haltom	Lackey	Perry
Albea	Holliman	Lee (Barbour)	Reynolds
Brewer	Jenkins	McKay	Roberts
Callahan	Johnson (Tallapoosa)	Merrill	Stokes
deGraffenried	Kaul	Nettles	Thomas
Edwards (Jefferson)	Kendall	Oakley	Tyson
Faulk			

—28

And said bill, S. 338, as thus amended, was read a third time at length and passed.

Yeas 64; Nays 27.

**Yeas:**

Mr. Speaker	Dawkins	Killough	Nice
Albea	Dement	Lee (Lawrence)	Nolen
Ashworth	DeSear	Locke (Choctaw)	Oden
Boyd	Dickson	Locke (Perry)	Pirkle
Bradford	Edwards (Escambia)	Love	Reynolds
Brannan	Ferrell	McClendon	Richardson
Branyon	Goodwyn	McLendon	Selman
Brassell	Gregory	McNider	Shumate
Broadfoot	Grouby	Martin	Simon
Brooks	Hain	Mathews	Speaks
Brown (Lamar)	Hall	Mathison	Steagall
Brown (Lee)	Hardy	Meeks	Stembridge
Burkhalter	Hare	Merrill	Taylor
Cox	Hawkins	Molette	Vacca
Crook	Hodges	Money	Ward
Davis	Hunt	Murphy	Windle

—64

**Nays:**

Messrs.	Franklin	Kaul	Oakley
Adams	Gist	Kendall	Payne
Brewer	Haltom	Kirkham	Perry
Callahan	Holliman	Lackey	Roberts
deGraffenried	Jenkins	Lee (Barbour)	Stokes
Edwards (Jefferson)	Johnson (Elmore)	McKay	Summerlin
Faulk	Johnson (Tallapoosa)	Nettles	Thomas

—27

**MESSAGE FROM THE SENATE****Mr. Speaker:**

The Senate has passed the following House bills and returns same herewith to the House:

H. 906. To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

**Also:**

H. 844. Relating to Jackson County; regulating further the office of the sheriff of Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or like county governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws.

**Also:**

H. 845. To amend further Act No. 65, H. 81, approved November 4, 1950, which created the board of revenue for Jackson County and abolished the court of county commissioners.

**Also:**

H. 910. To authorize and empower the governing body of the City of Guntersville, Alabama, by resolution, to authorize the Mayor of the

City of Guntersville to lease or sub-lease any of the real or personal property now owned or leased by such City, or hereinafter acquired or leased by said City of Guntersville, to provide that a lease or sub-lease made in accordance with such resolution shall be binding for the term specified in the resolution not to exceed a period of ten years, to provide restrictions upon such sub-leases, to provide that the provisions of such act are severable, and to provide when this Act shall become effective.

Also:

H. 933. Relating to Jackson County; abolishing the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and creating in lieu thereof the Jackson County Fine Forfeiture Fund; transferring funds in the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County to the Jackson County Fine and Forfeiture Fund; providing for the payment of existing claims against the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and for the payment of future claims which may arise against the Jackson County Fine and Forfeiture Fund; providing for the re-registration of existing claims against the general fine and forfeiture fund of Jackson County and barring existing claims that are not registered and existing claims that are not re-registered; making the circuit clerk the custodian of the Jackson County Fine and forfeiture Fund and fixing the compensation of the circuit clerk for his services rendered as custodian; providing for the appointment of a clerical assistant for the re-registration of claims against the general fine and forfeiture fund of Jackson County; providing for the transfer of surplus funds in the Jackson County Fine and Forfeiture Fund to the general fund of the county; and repealing conflicting laws.

Also:

H. 979. To establish a county court of Marshall County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties, and compensations; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of Marshall County, Alabama and in the County Court for Marshall County as created by Act approved June 3, 1953, and to provide for the transfer of certain cases pending in said County Court of Marshall County, Alabama to the equity side of the Circuit Court of Marshall County, Alabama, and to provide for the taxing of fees and costs, and to repeal Act No. 51 of the regular session of 1953, approved June 3, 1953, creating the County Court for Marshall County, and to repeal Act No. 408 of the regular session of 1953, approved August 27, 1953 abolishing the criminal jurisdiction conferred by law upon justices of the peace in Marshall County and conferring the same upon the County Court for Marshall County, Alabama.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 980. Requiring that all Justices of the Peace and all Notaries Public-Ex Officio Justice of the Peace or other officer trying misdemeanor criminal cases in Marshall County, Alabama, other than in

~~the County or Circuit Courts of said County, shall be required to report to the Clerk of the Circuit Court of said County, on forms furnished by said Clerk on the first day of each month all fines and forfeitures assessed or collected in such courts, showing the name of the defendant, the number of the case on the docket of such officer, the charge, the date of conviction or making final of such forfeiture, together with the amount thereof and showing the amount remitted, without any deductions therefrom for any reason whatsoever; and to require such officer to produce in the office of the Clerk of said Court at such times of making such report and/or remittance their dockets to be audited by such Clerk; to require such officer to also deliver to said Clerk such dockets one week in advance of the regular meeting of the Grand Jury of said County to be by said Clerk delivered to said Grand Jury; making a violation of this Act a misdemeanor and fixing penalties for the violation of this Act; and providing that all such fines and forfeitures collected by said Clerk from such officer, or any of them, shall be by said Clerk paid into the Fine and Forfeiture Fund of Marshall County, Alabama, regardless of the offense which defendant was charged with, and fixing the compensation to said Clerk for performing his duties under the provisions of this Act; to repeal all laws in conflict with this Act; providing when this Act shall take effect.~~

Also:

H. 877. Relating to Counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census, authorizing the governing body of every such County to provide for a Chief Clerk and assistant Chief Clerk in the Circuit Court and for a Chief Clerk in the County Court of the County.

Also:

H. 878. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent decennial federal census; authorizing the court of county commissioners, board of revenue, or like governing body of any such county to levy additional privilege license and excise taxes for hospital and educational purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

Also:

H. 984. Relating to counties having a population of not less than 63,700 nor more than 70,000 inhabitants, according to the last or any subsequent federal decennial census; exempting purchases of medical, surgical, and hospital supplies from any system of competitive bidding now or hereafter provided by law for any such county, or any office, department, board, agency, or institution thereof.

Also:

H. 985. Relating to Walker County: To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of Walker County to cover the employees of said county under the Workmen's Compensation Act.

Also:

H. 986. Relating to cities and towns in counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census; providing that the territorial limits of the police jurisdiction outside the corporate limits of any such city or town shall not be extended or changed by altering, extending, or rearranging the boundary lines or corporate limits of the city or town through the annexation of adjoining territory.

Also:

H. 987. Relating to Walker County; authorizing qualified electors living within the limits of the police jurisdiction of any city or town in the county to vote at municipal elections held by the city or town within whose police jurisdiction they reside, and directing the governing body of each incorporated municipality in the county to designate the place at which electors may vote.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate bill:

S. 353. To impose in Winston County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naphtha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agent for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer, or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax; to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collection; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined; and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

J. E. SPEIGHT,  
Secretary.



## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 988. Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties.

Also:

H. 991. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Chilton County.

Also:

H. 993. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Also:

H. 994. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Also:

H. 995. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Also:

H. 996. To provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 502 of the regular session of the Legislature of 1923, as reenacted and amended: to include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents.

Also:

H. 999. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

H. 1000. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

H. 1001. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Also:

H. 1002. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Also:

H. 1003. To amend Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary, and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Also:

H. 1004. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Also:

H. 1005. To further regulate the preparation of jury rolls and the filling and refilling of jury boxes of Talladega County and to provide for the method of serving notice upon jurors requiring their attendance for jury service in said county.

Also:

H. 743. Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as a school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses.

Also:

H. 834. To authorize and empower the director of the highway department to issue special permits for the movement of certain oversized vehicles over the public highways of the State.

Also:

H. 935. To regulate further the insuring of school buildings and other school property in counties having a population of not less than 50,000 nor more than 54,000 inhabitants, according to the last or any subsequent federal decennial census.

J. E. SPEIGHT,  
Secretary.

## BILLS ON THIRD READING RESUMED

### MOTION ADOPTED

The motion of Mr. McKay to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 219, was adopted.

And the bill:

S. 219. To amend further Section 440 of Title 37 of the Code of 1940 relating to municipal operations.

~~Was read a third time at length and passed.~~

Yeas 81; Nays 2.

**Yeas:**

Mr. Speaker	Ferrell	Kaul	Nice
Adams	Gilchrist	Kendall	Nolen
Albea	Gist	Killough	Payne
Ashworth	Gregory	Lackey	Perry
Bassett	Grouby	Law	Pirkle
Boyd	Hain	Lee (Barbour)	Ramey
Bradford	Hall	Lee (Lawrence)	Reynolds
Brannan	Haltom	Locke (Choctaw)	Richardson
Branyon	Hanby	Locke (Perry)	Selman
Brassell	Hardy	McKay	Shumate
Broadfoot	Hare	McLendon	Simon
Brooks	Harrison	McNider	Speaks
Burkhalter	Harvey	Martin	Steagall
Callahan	Hawkins	Mathews	Stembridge
Crook	Hodges	Mathison	Stokes
Dawkins	Holliman	Merrill	Summerlin
Davis	Hunt	Molette	Taylor
deGraffenried	Jenkins	Money	Tyson
Dement	Johnson (Elmore)	Murphy	Vacca
Dickson	Johnson (Tallapoosa)	Nettles	Ward
Edwards (Escambia)			

—81

**Nays:** Messrs. Kirkham and Oakley.

—2

**MOTION ADOPTED**

The motion of Mr. deGraffenried to suspend the rules in order to take up for immediate consideration the third reading of the bills, S. 253 and S. 254, was adopted.

And the bill:

S. 253. To amend Section 73 (2377) of Title 37 of the Code of 1940 relating to compensation of commissioners.

Was read a third time at length and passed.

Yeas 75; Nays 5.

**Yeas:**

Mr. Speaker	Crook	Harrison	McNider
Adams	Davis	Hawkins	Martin
Albea	deGraffenried	Hodges	Mathews
Ashworth	Dement	Holliman	Mathison
Bassett	Dickson	Hunt	Merrill
Boyd	Edwards (Escambia)	Jenkins	Molette
Bradford	Ferrell	Johnson (Tallapoosa)	Money
Brannan	Franklin	Kaul	Nice
Branyon	Gilchrist	Kendall	Nolen
Brassell	Gregory	Lackey	Oden
Broadfoot	Hain	Law	Payne
Brooks	Hall	Locke (Choctaw)	Perry
Brown (Lamar)	Haltom	Locke (Perry)	Pirkle
Burkhalter	Hanby	McClendon	Pruitt
Callahan	Hardy	McKay	Ramey
Cox	Hare	McLendon	Reynolds

Richardson	Speaks	Stokes	Vacca
Roberts	Steagall	Taylor	Windle
Selman	Stembridge	Tyson	

—75

**Nays:**

Messrs.	DeSear	Kirkham	Oakley
Brown (Lee)	Gist		

—5

And the bill:

**S. 254.** To amend further Section 105 of Title 37 of the Code of 1940 relating to compensation of commissioners.

Was read a third time at length and passed.

Yeas 74; Nays 0.

**Yeas:**

Mr. Speaker	Dement	Johnson (Tallapoosa)	Money
Adams	Dickson	Kaul	Nolen
Albea	Edwards (Escambia)	Kendall	Oden
Ashworth	Ferrell	Lackey	Payne
Bassett	Franklin	Lee (Barbour)	Perry
Boyd	Gilchrist	Lee (Lawrence)	Pirkle
Bradford	Gist	Locke (Choctaw)	Ramey
Brannan	Gregory	Love	Reynolds
Branyon	Hall	McClendon	Richardson
Brassell	Haltom	McKay	Selman
Brewer	Hanby	McLendon	Simon
Broadfoot	Hardy	McNider	Speaks
<b>Brooks</b>	<b>Hare</b>	Martin	Steagall
<b>Brown (Lamar)</b>	Harrison	Mathews	Stembridge
Burkhalter	Harvey	Mathison	Stokes
Callahan	Hawkins	Meeks	Thomas
Cox	Hodges	Merrill	Tyson
<b>Crook</b>	Holliman	Molette	Vacca
Davis	Jenkins		

—74

**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

**H. 470.** To provide for the construction, maintenance, and operation of five additional trade schools.

J. E. SPEIGHT,  
Secretary.

**SENATE MESSAGE**

On motion of Mr. Dawkins the House concurred in and adopted the Senate substitute for the bill, H. 470, said Senate substitute being as follows:

Substitute for H.B. 470:

**A BILL  
TO BE ENTITLED  
AN ACT**

To provide further for the construction, maintenance, and operation of trade schools.

~~BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:~~

Section 1. The State Board of Education is hereby authorized, empowered, and directed to establish and provide for the construction of three new vocational trade schools in this State in addition to the trade schools heretofore provided by law, to be located at such places as will make such schools conveniently accessible to all areas of Alabama. The cost of constructing such schools shall be paid out of proceeds realized from any bonds issued and sold by the State Board of Education or any other authority of this State for the purpose of financing the construction of public school buildings, or from any other funds made available for the construction of trade schools. The first seven hundred and fifty thousand dollars made available for expenditure on trade schools through the issuance and sale of bonds shall be allocated to the State Board of Education for the purpose of acquiring land, constructing buildings, reconstructing, altering, and improving existing buildings and building facilities, including the renewal and replacement of structural parts, and for the procurement of equipment for the buildings so constructed, reconstructed, or improved at the Decatur Trade School.

Section 2. The new trade schools to be constructed and established pursuant to this Act shall be maintained and operated in accordance with the provisions of Act No. 673, H. 2, approved October 9, 1947 (General Acts of Alabama, 1947, p. 515), and all amendments thereto.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 87; Nays 1.

**Yeas:**

Mr. Speaker	DeSear	Holliman	Nice
Adams	Dickson	Huddleston	Nolen
Albea	Edwards (Escambia)	Jenkins	Oakley
Ashworth	Edwards (Jefferson)	Johnson (Elmore)	Oden
Bassett	Faulk	Johnson (Tallapoosa)	Payne
Boyd	Ferrell	Kaul	Perry
Bradford	Franklin	Killough	Pirkle
Brannan	Gilchrist	Lackey	Ramey
Branyon	Gist	Law	Reynolds
Brassell	Goodwyn	Lee (Barbour)	Richardson
Brewer	Gregory	Locke (Choctaw)	Selman
Broadfoot	Grouby	Locke (Perry)	Shumate
Brooks	Hain	McClendon	Simon
Brown (Lamar)	Hall	McKay	Speaks
Brown (Lee)	Haltom	McLendon	Steagall
Burkhalter	Hanby	McNider	Stembridge
Callahan	Hardy	Martin	Stokes
Cox	Hare	Mathison	Taylor
Crook	Harrison	Merrill	Thomas
Dawkins	Harvey	Molette	Vacca
deGraffenried	Hawkins	Money	Ward
Dement	Hodges	Nettles	

—87

**Nays:** Mr. Murphy.

—1

BILLS ON THIRD READING RESUMED  
MOTION ADOPTED

The motion of Mr. Pirkle to suspend the rules in order to take up

for immediate consideration the third reading of the bill, S. 228, was adopted.

And the bill:

S. 228. To propose and provide for an amendment to the Constitution of Alabama of 1901 providing that obligations hereafter incurred and securities hereafter issued by a municipality having a population of less than 6,000 inhabitants for the purpose of acquiring, providing or constructing sanitary or storm water sewers, street or sidewalk improvements, or school houses, shall not under certain circumstances be deemed to constitute an indebtedness of such municipality within the meaning of Section 225 of said constitution.

Was read a third time at length and passed.

Yeas 82; Nays 3.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nettles
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Nice
Albea	Ferrell	Kendall	Nolen
Ashworth	Franklin	Killough	Payne
Bassett	Gilchrist	Lackey	Perry
Boyd	Gist	Law	Pirkle
Bradford	Goodwyn	Lee (Barbour)	Ramey
Brannan	Gregory	Lee (Lawrence)	Reynolds
Branyon	Grouby	Locke (Choctaw)	Selman
Brewer	Hall	McClendon	Shumate
Broadfoot	Haltom	McKay	Simon
Brown (Lamar)	Hanby	McLendon	Speaks
Brown (Lee)	Hardy	McNider	Steagall
Burkhalter	Hare	Martin	Stembridge
Callahan	Harrison	Mathews	Stokes
Cox	Harvey	Mathison	Taylor
Crook	Hawkins	Merrill	Tyson
Davis	Hodges	Molette	Vacca
deGraffenried	Holliman	Money	Ward
Dement	Hunt	Murphy	Windle
Dickson	Jenkins		

—82

**Nays:** Messrs. Brooks, Dawkins and Richardson.

—3

**MOTION ADOPTED**

The motion of Mr. Vacca to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 221, was adopted.

And the bill:

S. 221. To amend Section 404 of Title 37 of the Code of 1940 relating to election of mayor and aldermen; legislative functions.

Was read a third time at length and passed.

Yeas 74; Nays 3.

**Yeas:**

Mr. Speaker	Ashworth	Branyon	Brown (Lee)
Adams	Bassett	Brooks	Burkhalter
Albea	Boyd	Brown (Lamar)	Callahan

Cox	Harvey	McClendon	Pirle
Crook	Hawkins	McKay	Ramey
Davis	Hodges	McLendon	Reynolds
deGraffenried	Holliman	Martin	Richardson
Dement	Hunt	Mathews	Selman
Dickson	Jenkins	Mathison	Speaks
Edwards (Escambia)	Johnson (Elmore)	Merrill	Steagall
Edwards (Jefferson)	Johnson (Tallapoosa)	Molette	Stembridge
Ferrell	Kendall	Money	Stokes
Franklin	Killough	Murphy	Taylor
Goodwyn	Kirkham	Nettles	Thomas
Gregory	Lackey	Nolen	Tyson
Hall	Law	Oden	Vacca
Hanby	Lee (Barbour)	Payne	Ward
Hare	Lee (Lawrence)	Perry	Windle
Harrison	Locke (Choctaw)		

—74

Nays: Messrs. Bradford, Gist and Oakley

—3

And the bill:

S. 35. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes.

Was taken up.

Mr. Harrison offered the following amendment to the bill, S. 35:

#### AMENDMENT TO S. B. 35

Strike out the first clause of the proposed amendment and substitute in lieu thereof the following:

"In all counties in this State in which there are no city school systems, the county shall have power to levy and collect additional taxes not exceeding \$.55 on each \$100 worth of taxable property in such counties for public school purposes, and in all other counties each school district of each county shall have power to levy and collect additional taxes on the taxable property located in the district of not to exceed \$.55 per \$100 worth of taxable property located in the district for public school purposes."

And the amendment was adopted.

Yeas 77; Nays 8.

#### Yeas:

Mr. Speaker	Callahan	Gilchrist	Holliman
Adams	Cox	Gist	Huddleston
Albea	Crook	Goodwyn	Hunt
Ashworth	Davis	Gregory	Jenkins
Bassett	Dawkins	Hain	Johnson (Elmore)
Boyd	deGraffenried	Hall	Johnson (Tallapoosa)
Bradford	Dement	Haltom	Kendall
Branyon	DeSear	Hanby	Killough
Broadfoot	Dickson	Hardy	Lackey
Brooks	Edwards (Escambia)	Hare	Law
Brown (Lamar)	Edwards (Jefferson)	Harrison	Lee (Lawrence)
Brown (Lee)	Ferrell	Hawkins	Love
Burkhalter	Franklin	Hodges	McKay

McLendon	Molette	Perry	Simon
McNider	Money	Pirkle	Speaks
Martin	Murphy	Pruitt	Steagall
Mathews	Nolen	Ramey	Stembridge
Mathison	Oden	Reynolds	Taylor
Meeks	Payne	Selman	Vacca
Merrill			

—77

**Nays:**

Messrs.	Lee (Barbour)	Stokes	Tyson
Brewer	Richardson	Thomas	Windle
Kirkham			

—8

And said bill, S. 35, as thus amended, was read a third time at length and passed.

Yeas 72; Nays 16.

**Yeas:**

Mr. Speaker	deGraffenried	Holliman	Molette
Adams	Dement	Huddleston	Money
Albea	DeSear	Hunt	Murphy
Ashworth	Dickson	Jenkins	Nice
Bassett	Edwards (Escambia)	Kaul	Nolen
Boyd	Edwards (Jefferson)	Kendall	Oden
Bradford	Ferrell	Killough	Payne
Branyon	Franklin	Lackey	Perry
Brassell	Gilchrist	Law	Pirkie
Broadfoot	Gist	Lee (Lawrence)	Pruitt
Brooks	Gregory	Love	Reynolds
Brown (Lamar)	Hain	McKay	Selman
Brown (Lee)	Haltom	McNider	Simon
Burkhalter	Hanby	Martin	Speaks
Callahan	Hare	Mathews	Steagall
Cox	Harrison	Mathison	Stembridge
Davis	Hawkins	Meeks	Taylor
Dawkins	Hodges	Merrill	Vacca

—72

**Nays:**

Messrs.	Hall	McLendon	Summerlin
Brewer	Johnson (Tallapoosa)	Oakley	Thomas
Crook	Kirkham	Richardson	Tyson
Faulk	Lee (Barbour)	Stokes	Windle
Goodwyn			

—16

**RESOLUTION**

The following resolution was introduced:

By Mr. Ferrell:

H.R. 83. WHEREAS, it is understood that A. K. "Temo" Callahan has not had a photograph made since he was 14 years of age, and

WHEREAS, the photograph appearing in the inaugural edition of Alabama Magazine and again last Sunday in a news story in the Birmingham News does not do him justice, now, Therefore,



~~BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES~~  
that the sum of \$4.20 be contributed to Mr. Callahan in order that he may have a photograph made.

On motion of Mr. Ferrell the rules were suspended and H.R. 83 was adopted.

### BILLS ON THIRD READING RESUMED MOTION ADOPTED

The motion of Mr. Brassell to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 279, was adopted.

And the bill:

S. 279. Relating to crimes and offenses: To define the crime of indecent molestation of children and to fix the punishment therefor.

Was read a third time at length and passed.

Yeas 86; Nays 1.

#### Yeas:

Mr. Speaker	Edwards (Jefferson)	Kaul	Murphy
Adams	Faulk	Killough	Nettles
Albea	Ferrell	Kirkham	Nice
Ashworth	Franklin	Lackey	Nolen
Bassett	Gilchrist	Law	Oakley
Boyd	Gist	Lee (Barbour)	Oden
Bradford	Goodwyn	Lee (Lawrence)	Payne
Branyon	Gregory	Locke (Choctaw)	Perry
Brewer	Grouby	Locke (Perry)	Pirkle
Brown (Lamar)	Hain	Love	Reynolds
Brown (Lee)	Hall	McClendon	Selman
Burkhalter	Hanby	McKay	Shumate
Callahan	Hardy	McLendon	Speaks
Cox	Harvey	McNider	Steagall
Crook	Hawkins	Martin	Stembridge
Davis	Hodges	Mathews	Summerlin
Dawkins	Holliman	Mathison	Taylor
deGraffenried	Huddleston	Meeks	Thomas
Dement	Hunt	Merrill	Vacca
DeSear	Jenkins	Molette	Ward
Dickson	Johnson (Elmore)	Money	Windle
Edwards (Escambia)	Johnson (Tallapoosa)		

—86

Nays: Mr. Stokes.

—1

### MOTION ADOPTED

The motion of Mr. Brannan to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 242, was adopted.

And the bill:

S. 242. To amend Sections 308, 309, 310, 312 as heretofore amended, 313, 314, 315, 325 as heretofore amended, 327, 329, and 340 of Title 37 or the Code of Alabama of 1940, all of said Sections being in Subdivision 3 of Article 2 of Chapter 6 of said Title 37, so as to confer on each county and municipality in the state the same powers with respect to the acquisition and financing of electric systems that are conferred

by said subdivision with respect to water, sanitary sewer, and gas systems; so as to authorize each county or municipality to consolidate any two or more of its systems, including water, sanitary sewer, gas and electric systems; so as to authorize each county and municipality to issue its revenue bonds (a) for financing the acquisition, improvement, enlargement, extension and repair of any one or more of its water, sanitary sewer, gas, and electric systems, or any such consolidated system or systems; (b) for refunding any bonds heretofore or hereafter issued under said subdivision, or (c) for the combined purpose of such financing and such refunding; so as to authorize such county and municipality to make its revenue bonds hereafter issued under said subdivision payable solely out of the revenues from any one or more of its said systems, regardless of the system or systems for the benefit of which such revenue bonds may be issued and regardless of whether or not any of said systems may have been consolidated; so as to make additional provisions with respect to bonds hereafter issued under said subdivision and statutory mortgage liens hereafter created thereunder; so as to revise the provisions of said subdivision respecting the custody and disposition of the revenues from systems hereafter made subject to such liens; so as to provide that the due recording of a notice of such lien shall operate as constructive notice thereof; so as to revise the provisions of said subdivision respecting publication of notice of the authorization of bonds thereunder; and to repeal Sections 331, 332 and 333 of said Title 37.

Was read a third time at length and passed.

Yeas 92; Nays 0.

#### Yeas:

Mr. Speaker	Faulk	Killough	Nolen
Adams	Ferrell	Kirkham	Oakley
Albea	Gilchrist	Lackey	Oden
Ashworth	Gist	Law	Payne
Bassett	Goodwyn	Lee (Barbour)	Perry
Boyd	Gregory	Lee (Lawrence)	Pirkle
Bradford	Grouby	Locke (Choctaw)	Pruitt
Brannan	Hain	Locke (Perry)	Ramey
Brassell	Hall	Love	Reynolds
Brooks	Haltom	McClendon	Selman
Brown (Lamar)	Hanby	McKay	Shumate
Brown (Lee)	Hardy	McLendon	Simon
Burkhalter	Hare	McNider	Speaks
Callahan	Harrison	Martin	Steagall
Cox	Hawkins	Mathews	Stembridge
Crook	Hodges	Mathison	Stokes
Dawkins	Holliman	Meeks	Summerlin
deGraffenried	Hunt	Merrill	Taylor
Dement	Jenkins	Molette	Thomas
DeSear	Johnson (Elmore)	Money	Tyson
Dickson	Johnson (Tallapoosa)	Murphy	Vacca
Edwards (Escambia)	Kaul	Nettles	Ward
Edwards (Jefferson)	Kendall	Nice	Windle

—92

#### MOTION ADOPTED

The motion of Mr. Vacca to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 226, was adopted.

And the bill:

S. 226. To authorize municipalities in this state to acquire properties suitable for use as post offices, ~~to lease such properties to the United States Government~~ subject to certain requirements, to finance the acquisition of such properties by the issuance of negotiable revenue bonds payable solely out of the rental of such properties and to secure the bonds by pledges of such rentals and by mortgages on such properties, and to make or accept contributions toward the cost of such properties; to authorize the refunding of bonds issued hereunder; to provide remedies in the event of default respecting bonds issued hereunder, to exempt from taxation the properties acquired under authority of this act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor and lease agreements hereunder; to provide that bonds and agreements made in connection therewith shall not constitute an indebtedness of the municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under Alabama laws; to prescribe the purposes for which the proceeds from the sale of such bonds may be used; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Was read a third time at length and passed.

Yeas 84; Nays 1.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Johnson (Tallapoosa)	Nice
Adams	Edwards (Jefferson)	Kaul	Oakley
Albea	Ferrell	Kendall	Oden
Ashworth	Franklin	Kirkham	Payne
Bassett	Gilchrist	Lackey	Perry
Boyd	Gist	Law	Pirkle
Bradford	Gregory	Lee (Lawrence)	Ramey
Brannan	Grouby	Locke (Choctaw)	Reynolds
Branyon	Hain	Love	Selman
Brewer	Hall	McClendon	Shumate
Broadfoot	Haltom	McKay	Speaks
Brooks	Hanby	McLendon	Steagall
Brown (Lee)	Hardy	McNider	Sternbridge
Burkhalter	Hare	Martin	Stokes
Callahan	Harvey	Mathews	Summerlin
Crook	Hawkins	Mathison	Taylor
Davis	Hodges	Meeks	Thomas
Dawkins	Holliman	Molette	Tyson
deGraffenried	Hunt	Money	Vacca
Dement	Jenkins	Murphy	Ward
Dickson	Johnson (Elmore)	Nettles	Windle

—84

**Nays:** Mr. Nolen.

—1

**MOTION LOST**

The motion of Mr. Haltom to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 218, was lost.

Yeas 37; Nays 38.

**Yeas:**

Mr. Speaker	Albea	Boyd	Branyon
Adams	Ashworth	Brannan	Brassell

Crook	Haltom	Johnson (Tallapoosa)	Nice
Dement	Hardy	Kaul	Reynolds
Dickson	Hare	Kendall	Roberts
Ferrell	Harrison	Law	Speaks
Gilchrist	Hawkins	Lee (Lawrence)	Summerlin
Gist	Huddleston	McLendon	Tyson
Grouby	Johnson (Elmore)	Merrill	Vacca
Hain			

—37

**Nays:**

Messrs.	Edwards (Escambia)	Love	Richardson
Bradford	Edwards (Jefferson)	McKay	Selman
Brewer	Franklin	McNider	Shumate
Broadfoot	Hall	Martin	Simon
Brooks	Hanby	Mathison	Steagall
Brown (Lee)	Hodges	Nolen	Stembridge
Callahan	Holliman	Payne	Stokes
Davis	Kirkham	Pirkle	Thomas
Dawkins	Lackey	Pruitt	Windle
deGraffenried	Lee (Barbour)	Ramey	

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**MOTION TO ADJOURN LOST**

The motion of Mr. Brewer to adjourn until Friday, September 2, 1955, at ten o'clock A.M. was lost.

**BILLS ON THIRD READING RESUMED**

S. 132. To create a lien in behalf of hospitals upon any cause of action accruing to any injured person to whom such hospital furnished care and treatment; to provide the means of perfecting said lien; to provide for the time in which such lien must be filed and suit brought thereon; to provide that no release or settlement of any such causes of action shall be effective as against such lien unless such hospital or its assignee shall join therein or execute a release therefor; to provide for the filing of such lien; to provide that acceptance of release or satisfaction of any cause of action, suit, claim, counter claim, demand or judgment and any settlement in absence of release or satisfaction of lien shall prima facie constitute impairment of such lien, and to give lien holder right of action at law for damages on account of such impairment, to provide for recovery from one accepting release or satisfaction or making settlement; to except monies due under the Workmen's Compensation Act from the provisions herein and to repeal conflicting laws.

Was taken up.

Mr. Haltom offered the following amendment to the bill, S. 132:

**AMENDMENT TO SENATE BILL 132**

Amend the second paragraph of Section 4 (as amended) of Senate Bill 132 by striking said second paragraph in its entirety and substituting therefor the following:

"Any acceptance of a release or satisfaction of any such cause of action, suit, claim, counterclaim, demand or judgment and any settlement of any of the foregoing in the absence of a release or satisfaction of the lien referred to in this Act shall prima facie constitute an impairment of such lien, and the lienholder shall be entitled to an action at law for damages on account of such impairment against all persons,

firms or corporations who have paid or agreed to pay the consideration for such release, ~~such satisfaction or such settlement, expressly excepting the injured party or the legal representative of such party against whom such an action shall not lie, and in such action may recover from such persons, firms or corporations the reasonable cost of such hospital care, treatment and maintenance.~~ Satisfaction of any judgment rendered in favor of the lienholder in any such action shall operate as a satisfaction of the lien. Any action by the lienholder shall be brought in any court having jurisdiction thereof and may be brought and maintained in the county wherein the lienholder has his, its or their residence or place of business. If the lienholder shall prevail in such action, the lienholder shall be entitled to recover from the defendant the amount of any judgment rendered and court costs. Such action shall be commenced against the person liable for such damages within one year after the date such liability shall be finally determined by a settlement, release, covenant not to sue, or by the judgment of a court of competent jurisdiction."

On motion of Mr. Hawkins the amendment offered by Mr. Haltom was laid upon the table.

Yeas 46; Nays 43.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kendall	Payne
Adams	Faulk	Killough	Richardson
Brannan	Ferrell	Lackey	Speaks
Branyon	Franklin	Lee (Barbour)	Steagall
Brassell	Goodwyn	McKay	Stembridge
Brown (Lamar)	Gregory	McLendon	Stokes
Brown (Lee)	Hall	Mathison	Summerlin
Burkhalter	Hanby	Merrill	Thomas
Callahan	Hawkins	Nice	Ward
Crook	Hodges	Nolen	Windle
Dawkins	Hunt	Oden	Wood
Dement	Johnson (Tallapoosa)		

—46

**Nays:**

Messrs.	Dickson	Kirkham	Murphy
Albea	Gilchrist	Law	Oakley
Ashworth	Gist	Lee (Lawrence)	Perry
Bassett	Grouby	Locke (Choctaw)	Ramey
Boyd	Haltom	Locke (Perry)	Reynolds
Bradford	Hardy	Love	Roberts
Brewer	Hare	McNider	Selman
Broadfoot	Holliman	Martin	Shumate
Brooks	Huddleston	Mathews	Simon
deGraffenried	Johnson (Elmore)	Meeks	Taylor
DeSear	Kaul	Money	Tyson

—43

Mr. deGraffenried offered the following amendment to the bill, S. 132:

**AMENDMENT TO SENATE BILL 132**

Amend Senate Bill 132 as follows: By striking therefrom Section 6 and inserting in lieu thereof the following:

"Section 6. In any case where the action, suit, claim, counterclaim, or demand accruing to the person to whom hospital care has been

reduced to judgment or has been settled by an agreement among the parties thereto, the Court having jurisdiction of said action or suit, and in the event no action or suit has been filed, the Court which would have jurisdiction if suit was filed shall have full jurisdiction to determine the amount due on the lien and to compromise the amount due on the lien on proper written petition by any party interested therein, and shall have full power to adjudicate all matters in connection with said hospital lien and to provide by order of the Court for the manner in which the proceeds of said judgment shall be distributed. A copy of said petition shall be served upon all other parties having any right to any part of the proceeds of said judgment and answer and proceedings thereon filed and conducted as provided by law in equity cases. Any party to the proceedings on said petition shall have the right to appeal to the Supreme Court or Court of Appeals in civil cases."

On motion of Mr. Brown (Lee) the amendment offered by Mr. deGraffenried was laid upon the table.

Yeas 64; Nays 24.

**Yeas:**

Mr. Speaker	Dawkins	Jenkins	Nice
Adams	Dement	Johnson (Elmore)	Nolen
Albea	DeSear	Johnson (Tallapoosa)	Payne
Bassett	Dickson	Kaul	Perry
Boyd	Edwards (Escambia)	Kendall	Pirkle
Bradford	Faulk	Killough	Pruitt
Brannan	Franklin	Lee (Barbour)	Richardson
Branyon	Gist	Locke (Choctaw)	Speaks
Brassell	Gregory	Locke (Perry)	Steagall
Brooks	Grouby	McClendon	Stembridge
Brown (Lamar)	Hain	McKay	Stokes
Brown (Lee)	Hanby	McLendon	Summerlin
Burkhalter	Hardy	McNider	Taylor
Callahan	Harvey	Martin	Thomas
Crook	Hawkins	Meeks	Ward
Davis	Hodges	Merrill	Windle

—64

**Nays:**

Messrs.	Hare	Love	Selman
Ashworth	Harrison	Mathews	Shumate
Brewer	Holliman	Mathison	Simon
deGraffenried	Hunt	Money	Tyson
Ferrell	Kirkham	Murphy	Vacca
Goodwyn	Law	Roberts	Wood
Haltom			

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Mr. deGraffenried offered the following amendment to the bill, S. 132:

**AMENDMENT TO SENATE BILL 132**

Amend Senate Bill 132 by striking therefrom Section 1, and inserting in lieu thereof the following:

"Section 1. Any hospital which is owned and operated by the State of Alabama, any political subdivision thereof, or is owned and operated by any municipality of the State of Alabama, or which is owned and operated by any church or charitable institution in this State shall have a lien for all reasonable charges for hospital care,

~~treatment and maintenance of an injured person who entered said hospital within one week after receiving such injuries, upon any and all causes of action, suits, claims, counterclaims, and demands accruing to the person to whom such care, treatment, or maintenance was furnished, or accruing to the legal representatives of such person, and upon all judgments, settlements and settlement agreements entered into by virtue thereof on account of injuries giving rise to such causes of action, suits, claims, counterclaims, demands, judgments, settlements, or settlement agreements and which necessitated such hospital care, subject, however, to any attorney's lien."~~

On motion of Mr. Hawkins the amendment offered by Mr. deGraffenried was laid upon the table.

Yeas 67; Nays 18.

**Yeas:**

Messrs.	DeSear	Johnson (Tallapoosa)	Oden
Adams	Dickson	Kaul	Payne
Albea	Edwards (Escambia)	Kendall	Perry
Bassett	Faulk	Killough	Pirkle
Boyd	Ferrell	Lee (Barbour)	Pruitt
Bradford	Franklin	Locke (Choctaw)	Richardson
Brannan	Gist	McClendon	Roberts
Branyon	Goodwyn	McKay	Steagall
Brooks	Grouby	McLendon	Stembridge
Brown (Lamar)	Hain	McNider	Stokes
Brown (Lee)	Hall	Martin	Summerlin
Burkhalter	Hanby	Mathison	Taylor
Cox	Hardy	Merrill	Thomas
Crook	Harvey	Money	Vacca
Davis	Hawkins	Murphy	Ward
Dawkins	Hodges	Nice	Windle
Dement	Hunt	Nolen	Wood

—67

**Nays:**

Mr. Speaker	Gilchrist	Kirkham	Shumate
Ashworth	Haltom	Law	Simon
Brewer	Harrison	Love	Speaks
Callahan	Holliman	Oakley	Tyson
deGraffenried	Johnson (Elmore)		

—18

And said bill, S. 132, was read a third time at length and passed.

Yeas 77; Nays 14.

**Yeas:**

Mr. Speaker	Davis	Grouby	Kendall
Adams	Dawkins	Hain	Killough
Ashworth	Dement	Hall	Kirkham
Bassett	DeSear	Hanby	Lackey
Boyd	Dickson	Hardy	Lee (Barbour)
Bradford	Edwards (Escambia)	Harvey	Lee (Lawrence)
Brannan	Edwards (Jefferson)	Hawkins	Locke (Choctaw)
Branyon	Faulk	Hodges	Locke (Perry)
Brown (Lamar)	Ferrell	Hunt	McClendon
Brown (Lee)	Franklin	Jenkins	McKay
Burkhalter	Gist	Johnson (Tallapoosa)	McLendon
Crook	Goodwyn	Kaul	McNider

Martin	Nolen	Reynolds	Summerlin
Mathews	Oakley	Richardson	Taylor
Mathison	Payne	Roberts	Thomas
Meeks	Perry	Speaks	Vacca
Money	Pirkle	Steagall	Ward
Murphy	Pruitt	Stembridge	Windle
Nettles	Ramey	Stokes	Wood
Nice			

—77

**Nays:**

Messrs.	Callahan	Harrison	Merrill
Albea	deGraffenried	Holliman	Simon
Brewer	Gilchrist	Law	Tyson
Brooks	Haltom	Love	

—14

**MOTION TO SUSPEND RULES LOST**

The motion of Mr. Meeks to suspend the rules in order to reconsider the vote by which the bill, H. 757, was indefinitely postponed, was lost.

Yeas 31; Nays 39.

**Yeas:**

Mr. Speaker	deGraffenried	Johnson (Elmore)	Simon
Bassett	Dement	Locke (Choctaw)	Speaks
Brannan	Edwards (Escambia)	Martin	Taylor
Brassell	Ferrell	Mathison	Tyson
Brooks	Gregory	Murphy	Vacca
Brown (Lamar)	Harrison	Pruitt	Ward
Callahan	Hodges	Ramey	Wood
Davis	Holliman	Reynolds	

—31

**Nays:**

Messrs.	Gist	Law	Nolen
Albea	Hain	Lee (Barbour)	Oakley
Boyd	Haltom	Lee (Lawrence)	Oden
Bradford	Hanby	Locke (Perry)	Payne
Brown (Lee)	Hardy	McKay	Perry
Cox	Hunt	McNider	Pirkle
DeSear	Jenkins	Merrill	Richardson
Dickson	Kaul	Money	Steagall
Edwards (Jefferson)	Kirkham	Nettles	Stembridge
Franklin	Lackey	Nice	Thomas

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**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 728. To authorize the issuance of not exceeding \$100,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes, for the purpose of financing the construction, improvement and equipment of school and college buildings, and acquiring sites therefore; to specify the effect of such pledge; to create a sinking fund for payment of said bonds; to



~~exempt said bonds and the interest thereon from taxation; and to make provision for the terms, specifications, execution, sale and issuance of said bonds and disposition of the proceeds thereof.~~

J. E. SPEIGHT,  
Secretary.

### SENATE MESSAGE

On motion of Mr. Dawkins the House concurred in and adopted the Senate amendment to the bill, H. 728, said Senate amendment being as follows:

### AMENDMENT TO HOUSE BILL 728

Amend House Bill 728 as follows:

1. Strike therefrom in the title of said bill the figures "\$100,000,000" and insert in lieu thereof the figures "\$110,000,000."
2. Strike therefrom in the title of said bill the word "therefore" and insert in lieu thereof the word "therefor."
3. Strike therefrom in Section 2 of said bill the figures "\$100,000,000" and insert in lieu thereof the figures "\$110,000,000."
4. Strike therefrom in its entirety Section 8 thereof and insert in lieu thereof the following section:

"Section 8. All expenses incurred by the commission in connection with the sale and issuance of each series of the bonds shall be paid by the commission out of the proceeds from the sale of the bonds of that series. The proceeds from each such sale remaining after payment of such expenses shall be covered into the State Treasury, and set apart therein in a special trust fund to be designated the 'School Bond Fund.' All moneys paid into said fund shall be distributed on warrants drawn by the commission as follows: Seventy-six and nine-tenths per centum (76.9%) thereof shall be allocated and distributed to county and city school systems on a teacher-unit basis in accordance with the minimum school program, to be spent in accordance with regulations of the State Board of Education and statutes governing school building construction; Six and three-tenths per centum (6.3%) thereof shall be allocated and paid to The Board of Trustees of the University of Alabama; Six and three-tenths per centum (6.3%) thereof shall be allocated and paid to the Alabama Polytechnic Institute; Five-tenths of one per centum (0.5%) thereof shall be allocated and paid to Alabama College; Five and nine-tenths per centum (5.9%) thereof shall be expended by the State Board of Education on the state institutions of higher learning under said board, including Alabama Agricultural and Mechanical College, Alabama State College, and the State Teachers' Colleges; Two and seven-tenths per centum (2.7%) thereof shall be expended by the State Board of Education on trade schools; Five-tenths of one per centum (0.5%) thereof shall be allocated and paid to The Board of Trustees of the University of Alabama for the construction of facilities for mental health education; and Nine-tenths of one per centum (0.9%) thereof shall be allocated and paid to the Alabama Institute For Deaf and Blind. All of said proceeds so distributed or allocated or expended shall be used solely for the purposes for which the bonds are authorized, in Section 2 hereof, to be issued; provided, that the plans and specifications for any building constructed for any county or city school system shall be approved by the State Superintendent of Education, and the plans and specifications for any other building constructed with moneys from said special fund shall be approved by the Alabama Building Commission or any agency designated by the Legislature as its successor."

## AMENDMENT TO H.B. 728

Insert in H.B. 728, immediately following Section 8 thereof, an additional section reading as follows:

"Section 8. (a) No bonds shall be issued hereunder until that certain amendment to the Constitution of Alabama proposed by Act No. 233 adopted at the 1955 regular session of the Legislature of Alabama shall have become a part of the Constitution."

Yeas 86; Nays 3.

**Yeas:**

Mr. Speaker	Dickson	Jenkins	Nice
Adams	Edwards (Escambia)	Johnson (Elmore)	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Ashworth	Ferrell	Kendall	Payne
Bassett	Franklin	Lackey	Finkle
Boyd	Gilchrist	Law	Ramey
Bradford	Gist	Lee (Barbour)	Reynolds
Brannan	Goodwyn	Lee (Lawrence)	Roberts
Branyon	Gregory	Locke (Choctaw)	Selman
Brassell	Grouby	Locke (Perry)	Shumate
Brewer	Hain	McClendon	Simon
Broadfoot	Hall	McKay	Speaks
Brown (Lamar)	Haltom	McLendon	Steagall
Burkhalter	Hanby	McNider	Stembridge
Callahan	Hardy	Martin	Stokes
Cox	Hare	Mathews	Summerlin
Crook	Harrison	Mathison	Taylor
Davis	Hawkins	Meeks	Thomas
Dawkins	Hodges	Merrill	Vacca
deGraffenried	Holliman	Money	Ward
Dement	Huddleston	Nettles	Wood
DeSear	Hunt		

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**Nays:** Messrs. Kirkham, Oakley and Richardson.

—3

## MOTION TO ADJOURN LOST

The motion of Mr. Dawkins to adjourn until Friday, September 2, 1955, at ten o'clock A.M. was lost.

Yeas 36; Nays 51.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Law	Murphy
Albea	Ferrell	Lee (Lawrence)	Oden
Brassell	Franklin	Locke (Choctaw)	Simon
Brewer	Gregory	Locke (Perry)	Speaks
Broadfoot	Hare	Love	Steagall
Brooks	Hodges	McKay	Stembridge
Brown (Lamar)	Holliman	Mathison	Thomas
Dawkins	Johnson (Elmore)	Merrill	Tyson
Dement	Johnson (Tallapoosa)	Money	Ward

—36

**Nays:**

Messrs.	Boyd	Branyon	Crook
Ashworth	Bradford	Callahan	Davis
Bassett	Brannan	Cox	deGraffenried

DeSear	Hunt	Martin	Reynolds
Dickson	Jenkins	Meeks	Richardson
Edwards (Jefferson)	Kaul	Nettles	Roberts
Faulk	Kendall	Nice	Selman
Gilchrist	Kirkham	Nolen	Stokes
Gist	Lackey	Oakley	Summerlin
Hain	Lee (Barbour)	Payne	Taylor
Haltom	McClendon	Perry	Vacca
Hardy	McLendon	Pirkle	Windle
Harrison	McNider	Pruitt	Wood

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## BILLS ON THIRD READING RESUMED

S. 30. Proposing an amendment to the Constitution relative to the abridgment of the terms of office of state, county or municipal officers, by the abolition of the office or otherwise.

Was taken up.

Mr. Simon moved to indefinitely postpone the bill, S. 30.

## ADJOURNMENT

On motion of Mr. Dawkins the House adjourned until Friday, September 2, 1955, at ten o'clock A.M.

## THIRTY-SIXTH DAY

House of Representatives  
Montgomery, Alabama  
Friday, September 2, 1955

The House met pursuant to adjournment.

## PRAYER

The session was opened with prayer by the Reverend V. L. Bryant, Minister, Oak Park Presbyterian Church, Montgomery, Alabama.

## ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cox	Hain	Kendall
Adams	Crook	Hall	Killough
Albea	Davis	Haltom	Kirkham
Ashworth	Dawkins	Hanby	Lackey
Bassett	deGraffenried	Hardy	Law
Boyd	Dement	Hare	Lee (Barbour)
Bradford	DeSear	Harrison	Lee (Lawrence)
Brannan	Dickson	Harvey	Locke (Choctaw)
Branyon	Edwards (Escambia)	Hawkins	Locke (Perry)
Brassell	Edwards (Jefferson)	Hodges	Love
Brewer	Faulk	Holliman	McClendon
Broadfoot	Ferrell	Huddleston	McKay
Brooks	Franklin	Hunt	McLendon
Brown (Lamar)	Gilchrist	Jenkins	McNider
Brown (Lee)	Gist	Johnson (Elmore)	Martin
Burkhalter	Goodwyn	Johnson (Tallapoosa)	Mathews
Callahan	Gregory	Kaul	Mathison
Cornett	Grouby	Kelly	Meeks

Merrill	Payne	Selman	Summerlin
Molette	Perry	Shumate	Taylor
Money	Pirkle	Simon	Thomas
Murphy	Pruitt	Solomon	Tyson
Nettles	Ramey	Speaks	Vacca
Nice	Reynolds	Steagall	Ward
Nolen	Richardson	Stembridge	Windle
Oakley	Roberts	Stokes	Wood
Oden			

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A quorum was present.

#### REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-fifth legislative day and finds the same to be correct.

RANKIN FITE,  
Chairman.

On motion of Mr. Oden, the reading at length of the Journal of the House for the thirty-fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the thirty-fifth legislative day was approved.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

The President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Lamberth, Eddins and Flowers.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to request the House of Representatives to return to the Senate for further consideration the Bills:

H. 991. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Chilton County.

H. 981. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Shelby County.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Harrison, the House acceded to the request of the Senate for the return of the bills, H. 991 and H. 981, to the Senate for further consideration.

And said bills were forthwith returned to the Senate.

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## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 82. Extending the felicitations of the Legislature to the City of Huntsville in its sesquicentennial celebration.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the following Senate bill:

S. B. 338. To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

and requests Committee on Conference.

The President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Boutwell, Bradford and Cooper.

J. E. SPEIGHT,  
Secretary.

## SENATE MESSAGE

On motion of Mr. Dawkins, the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 338.

And the Speaker named as a Committee of Conference on the part of the House Messrs. Dawkins, Kendall and Davis.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 72. Requesting Alabama Educational Television Commission to consider televising Alabama-Auburn football game November 26, 1955.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate bill:

S. 35. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 627. Creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Also:

H. 861. To provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance.

Also:

H. 628. To create an additional judgeship for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judge.

Also:

H. 486. To amend Sections 3, 4 and 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945 p. 734) as amended, which relates to the Employees' Retirement System of Alabama.

Also:

H. 216. To make an appropriation for the support of the Council of State Governments.

Also:

H. 592. To fix the salaries of the Fourth, Fifth and Sixth Deputy Circuit Solicitors of the Tenth Judicial Circuit of Alabama payable by the State.

Also:

H. 301. To provide for the reclamation, restoration, operation and maintenance of Fort Morgan, in Baldwin County, Alabama, and certain other forts and buildings adjacent thereto; creating the Fort Morgan Historical Commission for the purpose of reclaiming, restoring, operating and maintaining Fort Morgan and certain other forts and buildings adjacent thereto; prescribing the powers, authority and jurisdiction of the commission, and providing for the appointment, compensation, powers, duties and authority of the members of the commission; providing for the appointment of a secretary or historian and other employees by the commission; giving the commission and the members thereof full police power to prefer charges against, and to make arrests of, any person violating any rule or regulation of the commission governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; giving the commission the authority to designate any employees of the commission as deputy police officers, with full police power to prefer charges against, or to make arrests of, any person violating any rule or regulation governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; prescribing a penalty for violation of the rules and regulations promulgated and adopted by the commission; and transferring the right to all papers, books, records, stationery, supplies and equipment used in the control, maintenance and operation

of Fort Morgan by the Division of State Parks, Monuments, and Historical Sites to the Fort Morgan Historical Commission.

Also:

H. 17. To create a State Department of Pensions and Security, a State Board of Pensions and Security, county departments of pensions and security, and county boards of pensions and security; to create the chief executive officer who shall be known as the Commissioner of the State Department of Pensions and Security who shall exercise all the rights, powers, authority, and duties thereof; to define the powers and duties of the State Department, of the State Board, of the county departments, and of the county boards; to transfer and confer upon the Department of Pensions and Security all the powers and duties now or hereafter vested in the Department of Public Welfare; to provide that "old age assistance" shall be known as old age pensions; and to provide that the Department of Pensions and Security be substituted for Department of Public Welfare in any litigation pending to which the Department of Public Welfare is a party.

Also:

H. 454. To amend Section 19 of Title 42, Code of Alabama (1940), which relates to probation and suspension of execution of sentence.

Also:

H. 221. Relating to Department of Revenue: To authorize and direct the Commissioner of the Department of Revenue to allow a discount of two percent (2%) on the first \$5,000.00 of tax paid to the State and of one percent (1%) on all amounts of tax paid in excess of \$5,000.00, not exceeding \$200.00 in any one calendar month to licensed and bonded refiners, storers, distributors or wholesalers of motor fuel who collect gasoline or motor fuel taxes under the provisions of Section 648 of Title 51, Code of Alabama, 1940.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 75. Authorizing Joint Committee appointed under H. J. R. 8, First Special Session, to meet for not more than sixty days and to make full report for Legislature in 1957.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Ashworth the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 75, said Senate amendment being as follows:

Amend H. J. Resolution No. 75 to read, "second special session" where the words "first special session" appear.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Newton:

S. J. R. 79. Be it Resolved by the Senate, the House of Representatives Concurring: That Senate Bill 21, which has passed both houses, be known as the "Newton, Shumate, and Selman Bill."

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Selman the rules were suspended and the House concurred in and adopted the S. J. R. 79 set out in the above and foregoing Message from the Senate.

#### RESOLUTION

The following resolution was introduced:

By Mr. Selman:

H. J. R. 84. Be It Resolved by the House of Representatives, the Senate Concurring: That Senate Bill 22, which has passed both houses, be known as the "Newton, Shumate, and Selman Bill."

On motion of Mr. Selman the rules were suspended and H. J. R. 84 was adopted.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 730. To amend further Act No. 529, H. 977, approved September 2, 1949 (Acts of Alabama, 1949, page 827) which provided for a plumbers examining board in all counties in the State having a population of not less than 140,000 according to the last or any subsequent Federal decennial census, as amended.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Simon the House concurred in and adopted the Senate amendment to the bill, H. 730, said Senate amendment being as follows:

#### AMENDMENT TO H. B. 730

Strike out the words and figures, "Ten Dollars (\$10.00)," wherever they appear in Section 1 of the bill, and insert the words and figures, "Twenty-five dollars (\$25)," in lieu thereof.

Also, strike out Section 2 of the bill in its entirety and insert in lieu thereof the following:

"Section 2. Section 7 of said Act No. 529, approved September 2, 1949, as amended, is amended further to read as follows:

"It shall be unlawful for any person, firm or corporation to do or perform, or to contract, direct or superintend any plumbing anywhere within any county having a population in excess of 140,000 inhabitants, according to the last or any subsequent Federal decennial census, unless such person has first received a certificate of competency, hereinafter



referred to as 'certificate,' and unless such certificate is in force and effect at time such plumbing is done, directed or superintended, except as hereinafter provided.

"It shall be the duty of the Board to examine and pass upon the qualifications of every person who may apply for a journeyman's plumber's certificate upon forms provided by the Board. Such applicant shall be examined, orally or in writing, upon the fundamentals of plumbing, the theory and practice of plumbing installation and construction, and the experience and ability of the applicant in practical plumbing installation and construction; and if such applicant be found to possess an accurate knowledge of the theory and correct practice of plumbing installation and construction, and sufficient experience and ability in plumbing installation and construction to safely and competently apply his knowledge and practice, the Board shall issue to him a certificate, upon his first paying all fees herein prescribed.

"It shall be the duty of said Board to examine and pass upon the qualifications of every person who may apply for a master plumber's certificate upon forms provided by the Board. Such applicant for a master's certificate shall be examined as an applicant for a journeyman's certificate, as hereinabove required to be examined and also upon his knowledge, training and ability, in the planning, laying out, and supervision of plumbing installation and construction work; and if such applicant for a master's certificate be found to possess the qualifications hereinabove prescribed for issuance of a journeyman's certificate, and also sufficient knowledge, training, and ability to competently and safely plan, lay out and supervise plumbing installation and construction work, he shall be issued a master plumber's certificate by said board. The examination required of an applicant for a permit as a master plumber or journeyman plumber may be waived by the Board as to any person who furnished satisfactory proof to the Board that he is a person of good moral character, and that he has been actively engaged as a master plumber or as a journeyman plumber, and duly licensed as such under the general laws of the State of Alabama, as the case may be, for at least two years, provided that such person files an application in writing for waiver with the Board, which application shall be accompanied by an affidavit giving the name or names of persons, firms or corporations, and the addresses thereof, by whom he has been employed, or for whom he has done plumbing work, during said two years of his engaging in said trade. And, provided, further, that said application be filed within six months after the passage of this Act. Except as herein provided in this Section, no person shall be issued a certificate without passing the prescribed examination; provided, however, that a person after having passed said examination, shall not be required to take said examination thereafter in order to secure a certificate in subsequent years. At least four (4) examinations per year shall be conducted, at a time and place prescribed by the Board after reasonable notice thereof."

Also, strike out the words and figures, "three hundred dollars (\$300.00)" appearing in Section 1 of the bill and insert in lieu thereof the following: "seven hundred fifty dollars (\$750.00)."

Yeas 83; Nays 0.

**Yeas:**

Mr. Speaker	Brannan	Brown (Lamar)	DeSear
Adams	Branyon	Brown (Lee)	Edwards (Escambia)
Albea	Brassell	Burkhalter	Edwards (Jefferson)
Bassett	Brewer	Cox	Faulk
Boyd	Broadfoot	Davis	Ferrell
Bradford	Brooks	Dement	Gilchrist

Gist	Kelly	Meeks	Selman
Gregory	Killough	Merrill	Shumate
Grouby	Kirkham	Molette	Simon
Hain	Lackey	Money	Solomon
Haltom	Law	Murphy	Speaks
Hanby	Lee (Lawrence)	Nettles	Steagall
Hardy	Locke (Choctaw)	Nice	Stembridge
Hare	Locke (Perry)	Nolen	Summerlin
Hawkins	Love	Oakley	Taylor
Hodges	McClendon	Oden	Tyson
Holliman	McKay	Payne	Vacca
Huddleston	McLendon	Pirkle	Ward
Hunt	McNider	Pruitt	Windle
Jenkins	Martin	Ramey	Wood
Johnson (Elmore)	Mathison	Reynolds	

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## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 586. To appropriate out of any monies in the State Treasury not otherwise appropriated, the sum of \$885,000.00 for each of the fiscal years ending September 30, 1956 and September 30, 1957, to the Armory Commission of Alabama to be used for the erection, construction and equipping of armories for the Alabama National Guard and for the Air National Guard in the State and for the repair and equipping of existing armories for the Alabama National Guard and for the Air National Guard in the State.

J. E. SPEIGHT,  
Secretary.

## SENATE MESSAGE

On motion of Mr. Oden the House concurred in and adopted the Senate amendment to the bill, H. 586, said Senate amendment being as follows:

## FINANCE AND TAXATION COMMITTEE AMENDMENT TO H. B. 586

Amend House Bill 586 by adding at the end of Section 1 the following:

"This appropriation is subject to the condition of the Treasury and the approval of the Governor".

Yeas 78; Nays 1.

## Yeas:

Mr. Speaker	Brooks	Edwards (Escambia)	Hare
Adams	Brown (Lamar)	Edwards (Jefferson)	Hawkins
Ashworth	Brown (Lee)	Faulk	Hodges
Bassett	Burkhalter	Ferrell	Holliman
Boyd	Callahan	Franklin	Huddleston
Bradford	Cornett	Gist	Hunt
Brannan	Cox	Gregory	Jenkins
Branyon	Davis	Grouby	Johnson (Elmore)
Brassell	deGraffenried	Haltom	Johnson (Tallapoosa)
Brewer	Dement	Hanby	Kelly

<del>Hendall</del>	<del>Martin</del>	<del>Pickle</del>	<del>Steagall</del>
Kirkham	Mathison	Pruitt	Stembridge
Lackey	Meeks	Ramey	Summerlin
Law	Merrill	Reynolds	Taylor
Lee (Lawrence)	Money	Richardson	Tyson
Locke (Choctaw)	Murphy	Selman	Vacca
Love	Nice	Shumate	Ward
McKay	Nolen	Solomon	Windle
McLendon	Oden	Speaks	Wood
McNider	Payne		

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Nays: Mr. Lee (Barbour).

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## RESOLUTIONS

The following resolutions were introduced: :

By Messrs. Goodwyn, Dawkins, Nolen, McLendon and Fite:

H. J. R. 85. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING: That the members of the Legislature have learned with deep regret of the death of the father of Representative H. James Hall, Mr. John Henry Hall, who died on the night of September 1, 1955, at the Bullock County Hospital in Union Springs; and the members of the Legislature do hereby extend their sincere sympathy to Representative Hall and his family for their great loss.

On motion of Mr. Goodwyn the rules were suspended and H. J. R. 85 was adopted.

Also:

By Mr. Gilchrist:

H. J. R. 86. Whereas the Legislature appropriated and made available to the State Department of Public Welfare during the second special session of 1955 approximately nine million dollars for the payment of benefits to the recipients of old age assistance; and

Whereas it was the intention of the Legislature that maximum benefits would be given to the needy aged who were in the worst financial condition; and

Whereas the State Department of Public Welfare has liberalized its policy and has placed additional thousands of recipients on the rolls, and as a result the benefits payable to individual recipients have not been substantially increased as was intended; and

Whereas it is inevitable that individual recipients will receive substantially reduced benefits if present policy is continued and the rolls further increased; and

Whereas there is widespread misapprehension about the old age assistance program, and an erroneous belief that old age assistance payments are in the nature of a pension payable to all persons over the age of 65, despite the fact that under federal law and federal regulations old age assistance payments can be made only on the basis of need, are payable only to persons over the age of sixty-five who are in need and have not sufficient resources to provide a reasonable subsistence, and cannot be based on age alone; therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING,

that the Commissioner of the State Department of Public Welfare is requested 1) to undertake immediately to inform the public adequately and properly of all the facts concerning eligibility for the receipt of old age assistance, in order that the erroneous conviction of numerous persons be cleared up, and 2) that the State Department of Public Welfare adopt a more conservative policy regarding the addition of recipients to the old age assistance rolls so that maximum benefits can be paid to the persons having the greatest need, in accordance with the policy adopted by the Legislature.

The motion of Mr. Gilchrist to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 86 was lost.

Yeas 53; Nays 36.

**Yeas:**

Messrs.	Hain	Lee (Barbour)	Pirkle
Bassett	Haltom	Locke (Choctaw)	Pruitt
Boyd	Hardy	Locke (Perry)	Ramey
Brannan	Hare	McClendon	Reynolds
Brewer	Harrison	McKay	Richardson
Brown (Lee)	Harvey	McLendon	Roberts
Cornett	Huddleston	Molette	Simon
Cox	Jenkins	Murphy	Solomon
deGraffenried	Johnson (Elmore)	Nettles	Summerlin
DeSear	Kaul	Nice	Thomas
Edwards (Jefferson)	Kelly	Nolen	Tyson
Faulk	Killough	Oakley	Vacca
Gilchrist	Kirkham	Perry	Windle
Goodwyn	Lackey		

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**Nays:**

Mr. Speaker	Callahan	Hall	Mathison
Albea	Davis	Hawkins	Merrill
Ashworth	Dawkins	Hodges	Money
Bradford	Dement	Holliman	Payne
Branyon	Edwards (Escambia)	Hunt	Selman
Brassell	Ferrell	Lee (Lawrence)	Shumate
Broadfoot	Franklin	McNider	Stembridge
Brooks	Gist	Martin	Stokes
Brown (Lamar)	Grouby	Mathews	Wood

—36

And said resolution H. J. R. 86 was read and referred to the Standing Committee on Rules.

**REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 43. To provide further for the distribution of the proceeds of certain state and county licenses.

Also:

H. 812. To amend Code of Alabama, Title 51, Section 606.

~~And finds same correctly enrolled.~~

~~RANKIN FITE,  
Chairman.~~

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 975. To fix the salary of the deputy solicitor of Lamar County, and to prescribe the method of payment of such salary.

Also:

H. 976. To regulate the meetings of the county board of education of Lamar County.

Also:

H. 977. To propose an amendment to the Constitution of Alabama relative to the industrial development of Marion County.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 954. Relating to Blount County; abolishing the Board of Revenue of Blount County and creating in lieu thereof a Board of Finance and Control; providing for the organization, powers, jurisdiction, and duties of the board; providing for the qualifications, election, term, powers, duties, authority, compensation, and traveling expenses of the members of the board.

Also:

H. 955. To establish a County Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a court reporter for said court and to fix and prescribe

his duties and compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the Chilton County Law and Equity Court of Chilton County, Alabama.

Also:

H. 956. Relating to Chilton County: To provide that the board of revenue, court of county commissioners, or like governing body of the county, or other public body having general jurisdiction of the county road system, shall be authorized and empowered to use or to authorize the use of county machinery, equipment, and property in the clearing and grading of building sites for new industries to be located within the county.

Also:

H. 957. To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 342. To amend Section 2 of Act No. 279, approved August 5, 1953, Acts of Alabama, 1953, entitled, "An Act Relating to Counties having a population of not less than 73,000 nor more than 93,000 inhabitants; providing that witness certificates obtained as a State's witness before the grand jury or a court in which criminal prosecution is pending shall be paid immediately upon presentation for payment."

Also:

H. 53. Relating to the election of the municipal governing body in any city, governed by a mayor and council and having a population of not less than 6,125 nor more than 6,725 inhabitants, in which the qualified voters approve the adoption of the provisions of this Act at a referendum election held pursuant to this Act.

Also:

H. 562. To fix the salary of the stenographic secretary to the Circuit Solicitor of the Sixth Judicial Circuit of Alabama.

Also:

H. 830. To propose an amendment to the Constitution of Alabama relating to the levy and collection of additional property taxes in

Winston County for public school purposes and for public hospital and ~~health purposes; authorizing the county, or any public corporation designat-~~ed as the agency of the county for the purpose of acquiring, constructing, equipping, maintaining and operating hospital and public health facilities to anticipate one-half of the tax levied for public hospital and health purposes and issue interest bearing tax anticipation bonds, warrants or certificates of indebtedness of said county payable solely from and secured by a pledge of one-half of the annual proceeds of such tax.

Also:

H. 741. To Alter and Extend the Boundaries of the City of Mountain Brook.

Also:

H. 931. To amend Section 1 of Act No. 131, S. 9, approved July 12, 1955, regulating the compensation of certain circuit judges.

Also:

H. 787. Authorizing state banks situated in counties having a population of not less than 225,000 nor more than 400,000 inhabitants according to the last or subsequent federal decennial census, to establish, maintain and operate branch banks, branch offices, or other places of business within such county in which the principal place of business of the bank is situated, by and with the approval of the superintendent of banks.

Also:

H. 809. Relating to counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the last or any subsequent decennial census of the United States, and having two court houses and a court of county commissioners; providing for the furnishing of equipment, supplies, and additional clerks to the tax assessor and the tax collector in such counties.

Also:

H. 869. Relating to places of voting in state and county elections in all counties of the State having a population of not less than 200,000 nor more than 400,000 according to the last or any subsequent Federal decennial census: Providing for the designation of only one voting place in any ward, district or precinct in any such counties, and authorizing and providing for the assignment of booths or voting machines at such voting places to alphabetical groups of not more than six hundred qualified voters, and directing that qualified voters may vote at the designated voting place and the booth or voting machine assigned to the alphabetical group in which his name belongs in the ward, district or precinct of which he is a qualified voter.

Also:

H. 874. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at

length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 882. To authorize the governing body of any and every municipality in any county in this state which county may now or hereafter have a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States to adopt and provide by ordinance for the maintenance of a comprehensive zone map or maps of such municipality, and its Police Jurisdiction over which it exercises zoning jurisdiction, and to make such zoning map or maps a part of any ordinance by reference thereto in such ordinance without publication of such zone map or maps in any newspaper.

Also:

H. 883. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail. The provisions of this act shall apply in all counties having a population of 400,000 or more inhabitants according to the last or any subsequent decennial census of the United States.

Also:

H. 887. Relating to Lauderdale County; providing for the payment by the county of a salary to one duly appointed deputy register of the Circuit Court of Lauderdale County which shall be fixed by the governing body of the county in an amount not to exceed a stated sum.

Also:

H. 888. Relating to Lauderdale County; providing for the compensation of the chief deputy sheriff for Lauderdale County.

Also:

H. 895. Relating to Clarke County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the Inferior Court of the county.

Also:

H. 896. To further amend Section 7 of an Act entitled "An Act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," approved September 23, 1932, as amended by Act approved August 6, 1947.

Also:

H. 901. To amend Section 2 of Act No. 637, H. B. 644, approved September 4, 1951, entitled "An Act to provide for and fix the compensation and duties of the Chief Clerk in the office of the Tax Assessor of Mobile County, Alabama.



Also:

H. 903. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

Also:

H. 905. To require the Board of Revenue of Colbert County to provide suitable office space with telephone service for the Solicitor of the Colbert Law and Equity Court of Colbert County.

Also:

H. 907. To amend Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws."

Also:

H. 908. To amend further Section V of an act to provide for an election of the County Superintendent of Education for Marion County, Alabama, to fix the term of office, to provide for filling vacancies therein, to prescribe his salary, and the manner of payment thereof, to define his qualifications, powers, and duties, and to provide for his successor in office, approved June 3, 1935 (Local Acts, 1935, p. 18).

Also:

H. 909. Relating to Marion County: To amend further Section 1 of Act No. 307, H. 526, approved September 1, 1939 (Local Acts of Alabama, 1939, page 195), entitled "An Act to allow the sheriff of Marion County an additional deputy sheriff; to provide the manner and method of his appointment and to fix his salary and make it payable out of the General Fund of the county in equal monthly installments; to prescribe his duties and powers and to provide for his assignment by the sheriff primarily in certain precincts in Marion County," as amended.

Also:

H. 917. To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 225,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act.

Also:

H. 919. Relating to Sumter County: To amend further Act No. 261, H. 571, approved August 6, 1947 (Local Acts of Alabama, 1947, page 187), which created the Board of Commissioners of Sumter County.

Also:

H. 927. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City cer-

tain territory not already included therein and located in Limestone County, Alabama.

Also:

H. 928. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Also:

H. 929. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Also:

H. 930. To alter and extend the boundary lines of the City of Athens, Alabama, so as to include within the corporate limits of said City certain territory not already included therein and located in Limestone County, Alabama.

Also:

H. 932. To provide for the manner of electing the members of the DeKalb County Board of Education, and to specify their election of one member thereof from each of the Commissioners Districts of DeKalb County, Alabama, and one member at large from said county and to provide their terms of office.

Also:

H. 934. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census, and to further regulate the number of meetings allowed to be held by the County Boards of Education in such counties.

Also:

H. 936. To further amend Section 793 of Title 37 of the 1940 Code of Alabama, as heretofore amended by Act No. 857 of the Regular Session of the Legislature of Alabama of 1953 (General Acts of Alabama of 1953, p. 1147), approved September 19, 1953.

Also:

H. 937. To amend Sections 4 and 8 of an Act of the Legislature approved September 4, 1951, General Acts of Alabama of 1951, page 1132, entitled: "An Act to levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census; to fix the rate or amount of such tax at, or at the rate of, two cents on each twelve fluid ounces or fractional part thereof of the above mentioned beverages; to provide that such tax shall be paid to the county for division, or distribution, between such county and the municipalities located therein; to prescribe the rate or basis of such division or distribution; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act."

Also:

H. 938. To fix the compensation or salary of the Circuit Clerk of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To pro-

vide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 939. To provide for the compensation to be paid certain Deputy Circuit Solicitors by counties having a population of four hundred thousand (400,000) or more according to the last or any succeeding decennial federal census.

Also:

H. 959. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

Also:

H. 962. To Amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts 1951, Page 1579).

Also:

H. 964. To amend Section 5 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 345, approved August 15, 1947, (General Acts of the Legislature of Alabama of 1947, pages 222-229).

Also:

H. 965. To fix the salary of the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama (Jefferson County) and to regulate the payment of the same.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 966. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of 200,000 inhabitants or more according to the last or any succeeding federal census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

Also:

H. 967. Relating to Jefferson County: To abolish the Inferior Court of Leeds and provide for the transfer and disposition of the pending causes and judgments of the Inferior Court of Leeds.

Also:

H. 968. To alter, rearrange, and increase the boundaries of the City of Fairfield, Alabama, Jefferson County, Alabama.

Also:

H. 970. Relating to the municipality of the Town of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Graysville.

Also:

H. 971. To provide for the compensation to be paid the Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama who is elected by the people and the Assistant Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama by counties having a population of 500,000 or more according to the last or any succeeding decennial federal census.

Also:

H. 973. To require all county officers on a salary basis in counties having a population of four hundred thousand (400,000) or more, according to the last or any subsequent Federal Census to pay into the county treasury all fees, cost, commissions, and perquisite derived from said offices or monies charged, or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices; and to prescribe that the salary fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their office or any act or service charged for by them growing out of the performance of their official duties.

Also:

H. 974. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 200,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; To provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

And finds same correctly enrolled.

~~RANKIN FILE,~~  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 940. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 941. To fix the salary of the Judge of the Juvenile & Domestic Relations Court of any County in this state having a population of more than 400,000 according to the last or any subsequent federal decennial census.

Also:

H. 942. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide that this act shall become effective on the first Monday of November, 1957.

Also:

H. 943. To fix the compensation or salaries of Tax Assessors and Tax Collectors in counties of 500,000 inhabitants, or more, according to the last or any subsequent federal census; and to require such officers to pay in to the county treasury of such county, or counties, all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

H. 944. To provide for the selection, election and term of office of members of the governing body of any city which may now or hereafter have a population of 250,000 or more inhabitants according to the last or any succeeding federal census; to provide for the filling of vacancies on the governing body of any such city; to provide for the distribution of powers and duties into and among three departments of government and the assignment thereof among the members of the governing body of any such city; to provide that any person heretofore elected to the office of president of the commission or commissioner upon the governing body of any such city and assigned by the commission thereof to and serving as head of the Department of General Administration, Finances and Accounts or the Department of Public Improvements or the Department of Public Safety on the 31st day of

December, 1954, shall not be subject to change in such assignment by the commission of such city; to provide that this Act shall not apply to any city governed under the provisions of Act No. 518 of the 1953 Session of the Legislature; to provide that all powers vested in any such city by this Act, by the laws general and local of the State and by Title 62, Code of Alabama of 1940, as amended, shall be vested in the commission of such city; to provide when the various provisions of this Act shall become applicable to any such city; to repeal all laws or parts of laws in conflict with the provisions of this Act; and to provide for the severability of any section, clause, provision or portion of this Act should any such section, clause, provision or portion be held invalid by any court of competent jurisdiction.

Also:

H. 945. To fix the compensation or salary of the Treasurer of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 946. To amend Section 788 of Title 37 of the 1940 Code of Alabama.

Also:

H. 947. To fix the compensation or salary of the Sheriff of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or any subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 948. To increase the compensation of the Judge of any Court in the Counties of over 400,000 according to the last and any subsequent federal census where such judge is elected by the Circuit judges of such counties and said judge has original jurisdiction only to try misdemeanor cases and has jurisdiction as a committing magistrate in felony cases and has no authority to try civil cases nor domestic relation cases and also has jurisdiction in bastardy proceedings which increase is to begin at the beginning of the new term of office of said judge.

Also:

H. 949. To fix the compensation or salary of the Deputy Circuit Clerk created under Title 13, Section 199 of the Code of Alabama 1940, for the division of the tenth judicial circuit described therein. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 952. Relating to Mobile County; levying a privilege license tax upon every person, firm, or corporation selling, delivering, or withdrawing from storage or keeping in storage for sale or delivery in Mobile County, any gasoline, naphtha, and other liquid motor fuels, or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil," "fuel oil," or "crude oil" commonly used for lighting, heating, or industrial purposes; providing that the amount of any municipal excise tax levied on such motor fuels and paid to any municipality in Mobile County shall be a credit toward

~~the payment of the tax levied by this Act; providing for the enforcement and collection of the tax; providing for the distribution of the proceeds thereof among the county and the incorporated cities and towns in the county; and prescribing penalties for violation of this Act.~~

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 41. Providing further for state planning and industrial development; abolishing the State Planning Board as now constituted, and creating in lieu thereof the State Planning and Industrial Development Board; providing for the selection of the members of the Board, and prescribing their powers, duties, terms, qualifications, and compensation; vesting the authority, functions, funds, effects, and personnel of the State Planning Board in the State Planning and Industrial Development Board; prescribing the authority and functions of the State Planning and Industrial Development Board; and providing for the appointment of a director of the Board, and prescribing his powers, duties, term, qualifications, and compensation.

Also:

H. 211. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Also:

H. 876. Relating to Etowah County: To abolish the present Board of Revenue of Etowah County, Alabama, and to create the Etowah County Board of Revenue in lieu thereof; to provide for the election and terms of office of the President and four Associate Members, and the districts in which the Associate Members must reside and be a qualified elector, to provide for the jurisdiction of the Board, the duties of the President and Associate Members, supervision of roads and bridges for the county, public meetings of the Board, the salaries of the President and Associate Members, the repeal of laws in conflict herewith and the effective date hereof.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report it has examined the following House Bills, to-wit:

H. 377. Regulating further the testing, inspecting, and grading of milk, cream, and milk products with respect to the public health; prescribing certain duties and authority of the Department of Agriculture & Industries, the Commissioner of Agriculture & Industries, and the State Board of Health; providing for the cooperation and exchange of information between the Department of Agriculture & Industries, the State Board of Health, and the Alabama State Milk Control Board in the making of any surveys, investigations, and inquiries made for the purpose of determining whether or not, or in what manner, the production, processing, and distributing of milk, cream, and milk products may affect the public health: prescribing conditions and requirements for milk transported into Alabama from other state; and prescribing a penalty for violations of this Act.

Also:

H. 617. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$110,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes.

Also:

H. 881. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 894. To abolish the DeKalb County Board of Revenue, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a County Commission to be known as DeKalb County Commission. To provide for the election of the members of said Commission, to fix their time of office, to define the powers and duties of such Commission and to fix the compensation of the members thereof.

Also:

H. 958. To fix the salaries of certain county officers in counties having a population of not less than eighty thousand and not more than ninety-four thousand inhabitants according to the 1950 federal census, or any subsequent federal census.



And finds same correctly enrolled.

~~RANKIN FITE,~~  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 78. Relative to Committee appointed pursuant to H. J. R. 43 being authorized to continue its investigation after sine die adjournment of this session of the Legislature.

H. J. R. 79. Relative to naming House Bill 377.

H. J. R. 80. Relative to requesting the State Board of Education to consider locating one of the additional trade schools in Russell County.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

### SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 844. Relating to Jackson County; regulating further the office of the sheriff of Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or like county governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws.

Also:

H. 845. To amend further Act No. 65, H. 81, approved November 4, 1950, which created the board of revenue for Jackson County and abolished the court of county commissioners.

Also:

H. 906. To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

Also:

H. 910. To authorize and empower the governing body of the City of Guntersville, Alabama, by resolution, to authorize the Mayor of the City of Guntersville to lease or sub-lease any of the real or personal property now owned or leased by such City, or hereinafter acquired or leased by said City of Guntersville, to provide that a lease or sub-lease made in accordance with such resolution shall be binding for the term specified in the resolution not to exceed a period of ten years, to provide restrictions upon such sub-leases, to provide that the provisions of such act are severable, and to provide when this Act shall become effective.

Also:

H. 933. Relating to Jackson County; abolishing the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and creating in lieu thereof the Jackson County Fine Forfeiture Fund; transferring funds in the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County to the Jackson County Fine and Forfeiture Fund; providing for the payment of existing claims against the Jackson County Court fine and forfeiture fund and the general fine and forfeiture fund of Jackson County, and for the payment of future claims which may arise against the Jackson County Fine and Forfeiture Fund; providing for the re-registration of existing claims against the general fine and forfeiture fund of Jackson County and barring existing claims that are not registered and existing claims that are not re-registered; making the circuit clerk the custodian of the Jackson County Fine and forfeiture Fund and fixing the compensation of the circuit clerk for his services rendered as custodian; providing for the appointment of a clerical assistant for the re-registration of claims against the general fine and forfeiture fund of Jackson County; providing for the transfer of surplus funds in the Jackson County Fine and Forfeiture Fund to the general fund of the county; and repealing conflicting laws.

Also:

H. 979. To establish a county court of Marshall County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties, and compensations; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court, to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of Marshall County, Alabama and in the County Court for Marshall County as created by Act approved June 3, 1953, and to provide for the transfer of certain cases pending in said County Court of Marshall County, Alabama to the equity side of the Circuit Court of Marshall County, Alabama, and to provide for the taxing of fees and costs, and to repeal Act No. 51 of the regular session of 1953, approved June 3, 1953, creating the County Court for Marshall County, and to repeal Act No. 408 of the regular session of 1953, approved August 27, 1953 abolishing the criminal jurisdiction conferred by law upon justices of the peace in Marshall County and conferring the same upon the County Court for Marshall County, Alabama.

Also:

H. 877. Relating to Counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census, authorizing the governing body of every such County to provide for a Chief Clerk and assistant Chief Clerk in the Circuit Court and for a Chief Clerk in the County Court of the County.

Also:

H. 878. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent decennial federal census; authorizing the court of county commissioners, board of revenue, or like governing body of any such county to levy additional privilege license and excise taxes for hospital and educational purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

Also:

H. 980. Requiring that all Justices of the Peace and all Notaries Public-Ex Officio Justice of the Peace or other officer trying misdemeanor criminal cases in Marshall County, Alabama, other than in the County or Circuit Court of said County shall be required to report to the Clerk of the Circuit Court of said County, on forms furnished by said Clerk on the first day of each month all fines and forfeitures assessed or collected in such courts, showing the name of the defendant, the number of the case on the docket of such officer, the charge, the date of conviction or making final of such forfeiture, together with the amount thereof and showing the amount remitted, without any deductions therefrom for any reason whatsoever; and to require such officer to produce in the office of the Clerk of said Court at such times of making such report and/or remittance their dockets to be audited by such Clerk; to require such officer to also deliver to said Clerk such dockets one week in advance of the regular meeting of the Grand Jury of said County to be by said Clerk delivered to said Grand Jury; making a violation of this Act a misdemeanor and fixing penalties for the violation of this Act; and providing that all such fines and forfeitures collected by said Clerk from such officer, or any of them, shall be by said Clerk paid into the Fine and Forfeiture Fund of Marshall County, Alabama, regardless of the offense which defendant was charged with, and fixing the compensation to said Clerk for performing his duties under the provisions of this Act; to repeal all laws in conflict with this Act; providing when this Act shall take effect.

Also:

H. 984. Relating to counties having a population of not less than 63,700 nor more than 70,000 inhabitants, according to the last or any subsequent federal decennial census; exempting purchases of medical, surgical, and hospital supplies from any system of competitive bidding now or hereafter provided by law for any such county, or any office, department, board, agency, or institution thereof.

Also:

H. 985. Relating to Walker County: To authorize, direct, and require the court of county commissioners, board of revenue, or like gov-

erning body of Walker County to cover the employees of said county under the Workmen's Compensation Act.

Also:

H. 986. Relating to cities and towns in counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census; providing that the territorial limits of the police jurisdiction outside the corporate limits of any such city or town shall not be extended or changed by altering, extending, or rearranging the boundary lines or corporate limits of the city or town through the annexation of adjoining territory.

Also:

H. 987. Relating to Walker County; authorizing qualified electors living within the limits of the police jurisdiction of any city or town in the county to vote at municipal elections held by the city or town within whose police jurisdiction they reside, and directing the governing body of each incorporated municipality in the county to designate the place at which electors may vote.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 743. Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as a school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses.

Also:

H. 834. To authorize and empower the director of the highway department to issue special permits for the movement of certain oversized vehicles over the public highways of the State.

Also:

H. 935. To regulate further the insuring of school buildings and other school property in counties having a population of not less than 50,000 nor more than 54,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 988. Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution there-

~~of to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties.~~

Also:

H. 470. To provide further for the construction, maintenance, and operation of trade schools.

Also:

H. 993. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Also:

H. 994. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Also:

H. 995. To alter and extend the boundaries of the City of Birmingham; to provide for an election to submit to the qualified electors of the territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extension.

Also:

H. 996. To provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the regular session of the Legislature of 1923, as reenacted and amended: To include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents.

Also:

H. 999. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

H. 1000. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

H. 1001. Relating to the municipality of Kimberly in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the Town of Kimberly.

Also:

H. 1002. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Also:

H. 1003. To amend Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Also:

H. 1004. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Also:

H. 1005. To further regulate the preparation of jury rolls and the filling and refilling of jury boxes of Talladega County and to provide for the method of serving notice upon jurors requiring their attendance for jury service in said county.

Also:

H. 728. To authorize the issuance of not exceeding \$110,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes, for the purpose of financing the construction, improvement and equipment of school and college buildings, and acquiring sites therefor; to specify the effect of such pledge; to create a sinking fund for payment of said bonds; to exempt said bonds and the interest thereon from taxation; and to make provision for the terms, specifications, execution, sale and issuance of said bonds and disposition of the proceeds thereof.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 627. Creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Also:

H. 861. To provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance.

Also:

H. 628. To create an additional judgeship for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judge.

Also:

H. 486. To amend Sections 3, 4 and 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945 p. 734) as amended, which relates to the Employees' Retirement System of Alabama.

Also:

H. 216. To make an appropriation for the support of the Council of State Governments.

Also:

H. 592. To fix the salaries of the Fourth, Fifth and Sixth Deputy Circuit Solicitors of the Tenth Judicial Circuit of Alabama payable by the State.

Also:

H. 301. To provide for the reclamation, restoration, operation and maintenance of Fort Morgan, in Baldwin County, Alabama, and certain other forts and buildings adjacent thereto; creating the Fort Morgan Historical Commission for the purpose of reclaiming, restoring, operating and maintaining Fort Morgan and certain other forts and buildings adjacent thereto; prescribing the powers, authority and jurisdiction of the commission, and providing for the appointment, compensation, powers, duties and authority of the members of the commission; providing for the appointment of a secretary or historian and other employees by the commission; giving the commission and the members thereof full police power to prefer charges against, and to make arrests of, any person violating any rule or regulation of the commission governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; giving the commission the authority to designate any employees of the commission as deputy police officers, with full police power to prefer charges against, or to make arrests of, any person violating any rule or regulation governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; prescribing a penalty for violation of the rules and regulations promulgated and adopted by the commission; and transferring the right to all papers, books, records, stationery, supplies and equipment used in the control, maintenance and operation of Fort Morgan by the Division of State Parks, Monuments, and Historical Sites to the Fort Morgan Historical Commission.

Also:

H. 17. To create a State Department of Pensions and Security, a State Board of Pensions and Security, county departments of pensions and security, and county boards of pensions and security; to create the chief executive officer who shall be known as the Commissioner of the State Department of Pensions and Security who shall exercise all the rights, powers, authority, and duties thereof; to define the powers and duties of the State Department, of the State Board, of the county departments, and of the county boards; to transfer and confer upon the Department of Pensions and Security all the powers and duties now or hereafter vested in the Department of Public Welfare; to provide that "old age assistance" shall be known as old age pensions; and to provide that the Department of Pensions and Security be substituted for Department of Public Welfare in any litigation pending to which the Department of Public Welfare is a party.

Also:

H. 454. To amend Section 19 of Title 42, Code of Alabama (1940), which relates to probation and suspension of execution of sentence.

Also:

H. 221. Relating to Department of Revenue: to authorize and direct the Commissioner of the Department of Revenue to allow a discount of two percent (2%) on the first \$5,000.00 of tax paid to the State and of one percent (1%) on all amounts of tax paid in excess of \$5,000.00, not exceeding \$200.00 in any one calendar month to licensed and bonded refiners, storers, distributors or wholesalers of motor fuel who collect gasoline or motor fuel taxes under the provisions of Section 648 of Title 51, Code of Alabama, 1940.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 726. Authorizing, directing and requiring every city and county board of education, the state board of education, and the governing boards of the University of Alabama, the Alabama Polytechnic Institute and Alabama College to employ, upon application, certain retired teachers; providing for the duties and compensation of such teachers; providing for participation in the federal old age and survivors insurance program by such teachers; and making an appropriation out of the special educational trust fund for the purpose of reimbursing the appointing boards for the cost of employing such teachers.

J. E. SPEIGHT,  
Secretary.

### RECONSIDERATION OF H. 963

The motion of Mr. Meeks to reconsider the vote by which the House concurred in and adopted the Senate amendment to the bill,

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; To provide that the election precincts of the county as now established shall so remain until changed and the Board of Registrars by and with the approval of the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be main-



tained at each voting center; to provide for the use of paper ballots in ~~voting centers where voting machines are not provided; to provide election~~ officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

Was adopted.

And on motion of Mr. Meeks, the House non-concurred in the Senate amendment to the bill, H. 963, and requested a Committee of Conference.

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Meeks, Vacca and Edwards (Jefferson).

#### RESOLUTIONS

The following resolutions were introduced:

By Messrs. Meeks, Payne, Lee (Barbour), Kaul, Brewer, Johnson (Elmore), Simon, Ferrell, Brown (Lamar), Windle, Richardson, Steagall, Grouby, McKay, Franklin, Selman, Kendall, Hodges, Boyd, Stembridge, Hain, Hardy, Law, Lee (Lawrence), Vacca, Oden, Money, Gregory, Speaks, Nice, Broadfoot, Martin, Harvey, DeSear, Cox, Jenkins, Goodwyn, Love, Nolen, Brannan, Brassell, Dement, Fite, Pruitt, Ashworth, Gilchrist, Edwards (Escambia), Ramey, Summerlin, Hunt, Kirkham, Callahan, Edwards (Jefferson), Branyon, Haltom, Kelly, Adams and Johnson (Tallapoosa):

H. R. 87. BE IT RESOLVED that the House of Representatives hereby commends Mr. Charles Cooper, Director of the Legislative Reference Service, and his fine staff of employees for the manner in which they exercised their duties during the 1955 Special Sessions and the Regular Session of the Legislature, and

WHEREAS, this Body realizes the tremendous task that has faced this Department on many occasions, and

WHEREAS, the Legislative Reference Service has always handled these occasions to the best interest of as many people as possible,

THEREFORE, we extend our sincere appreciation to Mr. Charles Cooper and his staff for the way in which he exercised his duties in that office.

On motion of Mr. Law the rules were suspended and H. R. 87 was adopted.

Also:

By Messrs. Vacca, McKay, Jenkins, Franklin, Payne, Mathews, Johnson (Elmore), deGraffenried, Branyon, Harvey, Money, Gregory, Lackey, Kelly, Haltom, Huddleston, Brown (Lamar), Dement, Richardson, Faulk, Wood, Gist, Lee (Lawrence), Callahan, Ashworth, Locke (Perry), DeSear, Cox, Ferrell, Summerlin, Law, Fite, Mathison, Brassell, Edwards (Escambia), Goodwyn, McLendon, Nice, Taylor, Killough, Hain, Stembridge, Kirkham, Oakley, Hare, Kendall, Dawkins, Hanby, Hunt, Pirkle, Burkhalter, Ramey, Harrison, Pruitt, Broadfoot, Thomas, Bradford, Gilchrist, Perry, Kaul, Brewer, Grouby, Edwards (Jefferson), Meeks, Stokes, Windle, Martin, Murphy, Selman, Locke (Choctaw), Nettles, McNider, Tyson, Simon, Ward, Lee (Barbour), Albea, Merrill, Brown (Lee), Hodges, Adams, Hardy, Roberts, Hawkins, Love and Davis.

H. R. 88. BE IT RESOLVED that the House of Representatives hereby commends Mr. Bob Goodwyn, Clerk of the House of Representatives, and his fine staff of employees for the manner in which they exercised their duties during the 1955 Special Sessions and the Regular Session of the Legislature, and

WHEREAS, this Body realizes the tremendous task that has faced this Department on many occasions, and

WHEREAS, the Clerk's Office has always handled these occasions to the best interest of as many people as possible,

THEREFORE, we extend our sincere appreciation to Mr. Bob Goodwyn and his staff for the way in which he exercised his duties in that office.

On motion of Mr. Vacca the rules were suspended and H. R. 88 was adopted.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 291. To create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court.

J. E. SPEIGHT,  
Secretary.

#### SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 22. To repeal Section 555 of Title 51, Code of Alabama (1940), which levies a privilege tax on the operation of a coal mine.

Also:

S. 33. To regulate the sale, possession, displaying, offering for sale and use of fireworks in the State of Alabama. To regulate the periods of sale, provide for public display of fireworks, and to prescribe penalties for any violation of this act or any regulation promulgated under its authority.

Also:

S. 46. To amend Section 152 of Title 41, Code of Alabama 1940, as amended, by an Act entitled "An Act to amend Section 152 of Title 41

of the Code of Alabama 1940, which relates to salaries of officers and employees of the State of Alabama," approved July 10, 1951.

Also:

S. 106. To repeal Section 44 of Title 41, Code of Alabama (1940), which makes the official bond of certain county officers a lien on the property of such officers.

Also:

S. 127. To authorize and direct the State Highway Department to construct, pave, repair, and maintain roads on the lands used by the agricultural experiment station system of the Alabama Polytechnic Institute.

Also:

S. 180. To amend Section 126 of Title 10, Code of Alabama (1940), which relates to the powers of corporations not of a business character.

Also:

S. 197. Relating to the Office of the Circuit Solicitor of the Twelfth Judicial Circuit: Creating a fund for the use of certain state officers of said Circuit.

Also:

S. 221. To amend Section 404 of Title 37 of the Code of 1940 relating to election of mayor and aldermen; legislative functions.

Also:

S. 228. To propose and provide for an amendment to the Constitution of Alabama of 1901 providing that obligations hereafter incurred and securities hereafter issued by a municipality having a population of less than 6,000 inhabitants for the purpose of acquiring, providing or constructing sanitary or storm water sewers, street or sidewalk improvements, or school houses, shall not under certain circumstances be deemed to constitute an indebtedness of such municipality within the meaning of Section 225 of said constitution.

Also:

S. 253. To amend Section 73 (2377) of Title 37 of the Code of 1940 relating to compensation of commissioners.

Also:

S. 254. To amend further Section 105 of Title 37 of the Code of 1940 relating to compensation of commissioners.

Also:

S. 279. Relating to crimes and offenses: To define the crime of indecent molestation of children and to fix the punishment therefor.

Also:

S. 286. Providing that every person, firm, or corporation who sells or furnishes any tractor, scraper, motor vehicle, machinery or like equipment of any kind, or part therefor, or repairs thereto, the purchase price of which exceeds Twenty-Five Dollars (\$25.00), shall have a lien for the full price thereof on the vehicle; providing for the recording of such lien and for the enforcement thereof.

Also:

S. 306. To amend Section 3 of Act No. 169, General Acts of Alabama 1945 (General Acts 1945, page 286, Section 3, effective August 22, 1945), and said Act as amended, by providing under Sub-section (1) of said Section that the measure of the tax on pine lumber shall be twenty cents per thousand feet board measure lumber tally, and that the measure of the tax on hardwoods and other species of lumber described in Sub-section (2) of said Section shall be eight cents per thousand feet board measure lumber tally, and that Sub-sections (7) and (8) shall be amended to provide that the levy in each instance shall be on invoice value at the loading out point and that such levy shall be based on the amount paid at the stump.

J. E. SPEIGHT,  
Secretary.

### SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

### RESOLUTION

The following resolution was introduced:

By Mr. Kelly:

H. J. R. 89. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING: That House Bill 17, which has passed both houses, be known as the "Kelly, Davis, Adams, Albee, Ashworth, Bassett, Branyon, Brassell, Brewer, Broadfoot, Brooks, Brown (Lamar), Burkhalter, Callahan, Cox, Dawkins, deGraffenried, Dement, Edwards (Escambia), Faulk, Ferrell, Fite, Gist, Gregory, Grouby, Hall, Hanby, Hare, Harrison, Hodges, Holliman, Huddleston, Hunt, Jenkins, Johnson (Elmore), Johnson (Tallapoosa), Lackey, Law, Lee (Barbour), Lee (Lawrence), Love, McClendon, McKay, McNider, Martin, Mathews, Mathison, Meeks, Money, Murphy, Oden, Payne, Pirkle, Ramey, Reynolds, Roberts, Shumate, Simon, Solomon, Speaks, Steagall, Stembridge, Stokes, Taylor, Thomas, Tyson, Vacca, Ward, Windle, Allen, Cantrell, Dyar, Eddins, Flowers, Goodwin, Grisham, Lamberth, Leonard, Little, Metcalf, Newton, Reeves, Roberts, Shelton, Smith, Van Antwerp, and Vann Bill."

On motion of Mr. Kelly the rules were suspended and H. J. R. 89 was adopted.

### COMMITTEE APPOINTED

In accordance with the provisions of H. J. R. 50 the Speaker of the House appointed as a Committee on part of the House Messrs. Hawkins, Thomas and Dawkins.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 85. Expressing sympathy to Hon. James Hall in the loss of his father.

Also:

H. J. R. 84. Naming Senate Bill 22.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Boutwell and Lamberth:

S. J. R. 85. Be it resolved by the Legislature of Alabama, both houses thereof concurring, That the members of the Legislature do hereby express their deep appreciation to the staff of the Legislative Reference Service for their prompt, courteous, and valuable assistance in the preparation of bills and factual reports for the members of the Legislature during and preceding the 1955 regular session of the Legislature.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Law the rules were suspended and the House concurred in and adopted the S. J. R. 85 set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 681. To amend Section 11 of Title 19, Code of Alabama (1940), which relates to the appointment of commissioners in condemnation proceedings; requiring the judge of probate to appoint the members of the county board of equalization to serve as commissioners in any condemnation proceeding where the county is a party to such proceeding, in any county having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 989. Relating to counties having a population of not less than 22,750 nor more than 23,500 inhabitants, according to the last or any subsequent federal decennial census; authorizing the county board of education of such counties to cancel the contract with any teacher by unanimous vote of the members of the board; and authorizing, directing, and requiring the county board of education of such counties to cancel the contract with any teacher who advocates integration of the races in the public schools, or who is a member of any organization or association which advocate integration of the races in the public schools.

Also:

H. 992. To provide for and require the reidentification of each qualified elector in DeKalb County, Alabama, and to require the Board of Registrars in DeKalb County to take the necessary action to purge the lists of the qualified electors in DeKalb County and to authorize the employment of investigators to assist in purging such lists; and to

provide that any person making a willfully false statement in connection with reidentification shall be guilty of perjury; to provide for transfer of certain duties pertaining to preparation of ballots, list of voters, supervision and control of voters' lists and expenses of same from the office of the Judge of Probate to the Board of Registrars; to provide for the appointment of a secretary for the board of Registrars, and to fix his compensation, method of appointment and to provide for other employees of the Board of Registrars; to fix the duties of the secretary of the Board of Registrars, and to provide for the payment of the compensation of the secretary of the board of Registrars and other employees of the Board from the general fund of DeKalb County, Alabama.

Also:

H. 1008. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

Also:

H. 1010. Relating to the election of the Mayor of the City of Russellville, Alabama, by providing for a second or run-off election in the event no candidate for the office of Mayor receives in the first or regular election a majority of the votes cast therein.

J. E. SPEIGHT,  
Secretary.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions to-wit:

H. J. R. 72. Relative to televising the Alabama-Auburn football game.

Also:

H. J. R. 75. Relative to H. J. R. 8 of the Second Special Session of 1955 which appointed a committee to investigate certain matters relative to the Relative Responsibility Law as it affects patients at the Alabama Insane Hospital; authorizing the committee to continue its investigation.

Also:

H. J. R. 82. Relative to extending felicitations to the City of Huntsville and her citizens for their numerous contributions to the social, cultural, and economic welfare of the State.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present,

~~signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.~~

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 586. To appropriate out of any monies in the State Treasury not otherwise appropriated, the sum of \$885,000.00 for each of the fiscal years ending September 30, 1956 and September 30, 1957, to the Armory Commission of Alabama to be used for the erection, construction and equipping of armories for the Alabama National Guard and for the Air National Guard in the State and for the repair and equipping of existing armories for the Alabama National Guard and for the Air National Guard in the State.

Also:

H. 726. Authorizing, directing and requiring every city and county board of education, the state board of education, and the governing boards of the University of Alabama, the Alabama Polytechnic Institute and Alabama College to employ, upon application, certain retired teachers; providing for the duties and compensation of such teachers; providing for participation in the federal old age and survivors insurance program by such teachers; and making an appropriation out of the special educational trust fund for the purpose of reimbursing the appointing boards for the cost of employing such teachers.

Also:

H. 730. To amend further Act No. 529, H. 977, approved September 2, 1949 (Acts of Alabama, 1949, page 827) which provided for a plumbers examining board in all counties in the State having a population of not less than 140,000 according to the last or any subsequent Federal decennial census, as amended.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use

of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Boutwell, James and Engelhardt.

J. E. SPEIGHT,  
Secretary.

REPORT OF COMMITTEE OF CONFERENCE ON DISAGREEMENT  
OF THE TWO HOUSES ON SENATE AMENDMENT TO  
HOUSE BILL 963

We, your Committee of Conference, heretofore appointed on disagreement of the two Houses on the Senate amendment to the bill, H. 963, beg leave to report as follows:

1. That the House adopt Senate amendment to the bill and further that Section 10 of said bill be stricken and the following be substituted in lieu thereof:

"Section 10. This Act shall become effective twenty days after its passage and approval by the Governor."

J. PAUL MEEKS  
JESS EDWARDS  
PASCHAL P. VACCA  
Conferees on part of the House  
ALBERT BOUTWELL  
S. M. ENGELHARDT, JR.  
A. P. JAMES  
Conferees on part of the Senate

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Meeks, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 963, said report being set out in the above and foregoing Report of the Committee of Conference.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Bradford	Brooks	deGraffenried
Adams	Brannan	Brown (Lamar)	Dement
Albea	Branyon	Brown (Lee)	DeSear
Ashworth	Brassell	Callahan	Dickson
Bassett	Brewer	Cornett	Edwards (Escambia)
Boyd	Broadfoot	Cox	Faulk



Ferrell	Hunt	McNider	Ramey
Franklin	Johnson (Elmore)	Martin	Reynolds
Gilchrist	Johnson (Tallapoosa)	Mathews	Richardson
Gist	Kaul	Mathison	Selman
Goodwyn	Kelly	Meeks	Shumate
Gregory	Killough	Merrill	Simon
Grouby	Kirkham	Molette	Solomon
Hall	Lackey	Money	Speaks
Haltom	Lee (Barbour)	Murphy	Stembridge
Hanby	Lee (Lawrence)	Nettles	Stokes
Hardy	Locke (Choctaw)	Nolen	Taylor
Harrison	Locke (Perry)	Oakley	Thomas
Hawkins	McClendon	Oden	Vacca
Hodges	McKay	Payne	Windle
Holliman	McLendon	Perry	Wood
Huddleston			

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And said bill:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 82; Nays 0.

**Yeas:**

Mr. Speaker	Callahan	Haltom	Lackey
Adams	Cornett	Hanby	Lee (Barbour)
Albea	Cox	Hardy	Lee (Lawrence)
Ashworth	deGraffenried	Harrison	Locke (Choctaw)
Bassett	Dement	Hawkins	Locke (Perry)
Boyd	DeSear	Hodges	McClendon
Bradford	Dickson	Holliman	McLendon
Brannan	Edwards (Escambia)	Huddleston	Martin
Branyon	Faulk	Hunt	Mathews
Brassell	Ferrell	Johnson (Elmore)	Mathison
Broadfoot	Franklin	Johnson (Tallapoosa)	Meeks
Brooks	Gilchrist	Kaul	Merrill
Brown (Lamar)	Gist	Kelly	Molette
Brown (Lee)	Grouby	Killough	Money
Burkhalter	Hall	Kirkham	Murphy

Nettles	Ramey	Simon	Taylor
Nice	Reynolds	Solomon	Thomas
Nolen	Richardson	Speaks	<b>Vacca</b>
Oakley	Roberts	Stembridge	Windle
Payne	Selman	Summerlin	Wood
Perry	Shumate		

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## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Boutwell &amp; Lamberth:

S. J. R. 89. Be it Resolved by the Legislature of Alabama, Both Houses Thereof Concurring: That the Legislature hereby expresses its appreciation of the expert advice and valuable assistance rendered the Legislature during this session by Raymond Fowler, Secretary-Treasurer of the Retirement Systems of the State of Alabama.

J. E. SPEIGHT,  
Secretary.

## SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S. J. R. 89 set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs: Boutwell and Lamberth:

S. J. R. 86. Be it resolved by the Legislature of Alabama, both houses thereof concurring: That the Legislature of Alabama hereby takes this means of expressing the appreciation of each member of the Legislature to the governing authority of the City of Montgomery, other city officers and employees, civic organizations, and citizens of Montgomery for the many courtesies and favors, and the warm hospitality, so generously accorded the members of the Legislature during this session of the Legislature.

J. E. SPEIGHT,  
Secretary.

## SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S. J. R. 86 set out in the above and foregoing Message from the Senate.

## RESOLUTIONS

The following resolutions were introduced:

By Mr. Meeks:

H. J. R. 90. WHEREAS, the Honorable George C. Hawkins has rendered outstanding service in the Legislature of Alabama as a member

of the House, Speaker Pro Tem, Chairman of Ways and Means Committee and as Floor Leader; and

WHEREAS, the Honorable George C. Hawkins has been singularly honored in having been elected a Fellow in the International Academy of Trial Lawyes, an organization which limits its membership to five hundred of the world's leading trial lawyers.

BE IT RESOLVED by the House, the Senate concurring, that the Legislature of Alabama extends its heartiest congratulations to the Honorable George C. Hawkins upon his being elected a Fellow in the International Academy of Trial Lawyers.

On motion' of Mr. Meeks the rules were suspended and H. J. R. 90 was adopted.

Also:

By Mr. Grouby:

H. J. R. 91. Whereas the members of the press have displayed a highly commendable attitude of objectivity and fairness in their reporting of activities of the Legislature,

Be it resolved by the House of Representatives, the Senate concurring: That the members of the Legislature hereby express their appreciation to the press for the excellent coverage given the current session of the Legislature, and do commend the members of the press for the fair and objective manner in which they have reported to the people the affairs and activities of the Legislature of Alabama.

The motion of Mr. Grouby to suspend the rules in order to bring up for immedicate consideration the above and foregoing H. J. R. 91 was adopted.

Yeas 65; Nays 12.

#### Yeas:

Messrs.	Faulk	Johnson (Elmore)	Meeks
Albea	Ferrell	Kelly	Merrill
Ashworth	Franklin	Killough	Molette
Bassett	Gilchrist	Kirkham	Nettles
Boyd	Goodwyn	Lackey	Oakley
Bradford	Grouby	Lee (Barbour)	Payne
Brannan	Hain	Lee (Lawrence)	Perry
Branyon	Hall	Locke (Choctaw)	Pruitt
Brown (Lamar)	Haltom	Locke (Perry)	Ramey
Brown (Lee)	Hanby	McClendon	Reynolds
Burkhalter	Hardy	McKay	Roberts
Callahan	Harrison	McLendon	Steagall
deGraffenried	Harvey	McNider	Stembridge
Dement	Hawkins	Martin	Stokes
DeSear	Hodges	Mathews	Vacca
Dickson	Holliman	Mathison	Windle
Edwards (Escambia)	Huddleston		

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#### Nays:

Mr. Speaker	Gist	Murphy	Selman
Broadfoot	Love	Nolen	Simon
Brooks	Money	Oden	Speaks

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And said resolution H. J. R. 91 was read and referred to the Standing Committee on Rules.

### RECESS

On motion of Mr. Money the House recessed until 2:30 o'clock this afternoon.

### AFTERNOON SESSION

The hour of 2:30 o'clock P. M. having arrived, the House reconvened.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; To provide that the election precincts of the county as now established shall so remain until changed and the Board of Registrars by and with the approval of the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

And said Bill, H. B. 963, together with the report of the Committee on Conference, is herewith returned to the House.

J. E. SPEIGHT,  
Secretary.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1012. Proposing an amendment to the Constitution of Alabama relating to the powers and authority of the court of county commissioners, board of revenue, or like governing body of Marion and Lamar counties.

J. E. SPEIGHT,  
Secretary.

~~SENATE MESSAGE~~

The motion of Mr. Brown (Lamar) to temporarily postpone consideration of the amendment to the bill, H. 1012, was adopted, said Senate amendment being as follows:

## AMENDMENT TO HOUSE BILL 1012

Amend the title and line 5 of the proposed amendment by adding "Colbert County" thereto.

## MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to request the House of Representatives to return to the Senate for further consideration the Bill:

H. 1012. Proposing an amendment to the Constitution of Alabama relating to the powers and authority of the court of county commissioners, board of revenue, or like governing body of Marion and Lamar counties.

J. E. SPEIGHT,  
Secretary.

## SENATE MESSAGE

On motion of Mr. Hawkins, the House acceded to the request of the Senate for the return of the bill, H. 1012, to the Senate for further consideration.

And said bill was forthwith returned to the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 1011. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

Also:

H. 1013. To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

Also:

H. 1014. To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

Also:

H. 1015. To amend further Sections 1 and 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County, Alabama, on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge.

Also:

H. 1016. To amend Section 1 of Act No. 68, H. 263, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 51), which provided for the appointment of a deputy register for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy register.

Also:

H. 1017. To amend Act No. 436, H. 938, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the county superintendent of education of Morgan County, Alabama.

Also:

H. 1018. For the relief of James Maxwell of Morgan County: Authorizing and directing the court of county commissioners, board of revenue, or like county governing body of Morgan County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of seven hundred fifty dollars (\$750.00) to compensate James Maxwell for personal injuries suffered by him while acting within the line and scope of his employment with the county, leaving him permanently partially disabled.

Also:

H. 1019. To amend Sections 1 and 2 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the chairman and members of the Board of Revenue and Control of Morgan County.

Also:

H. 1020. Relating to Morgan County; fixing the compensation of the chief deputy of the sheriff of Morgan County, Alabama.

Also:

H. 1021. To amend Section 1 of Act No. 64, H. 259, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 45), which provided for the appointment of a deputy clerk for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy clerk.

Also:

H. 1022. To amend Section 1 of Act No. 424, H. 868, approved August 27, 1953 (Acts of Alabama, 1953, p. 525), which authorized

~~the Board of Revenue and Control of Morgan County, Alabama, to provide the sheriff of the county with deputies and jailers and to fix their compensation.~~

Also:

H. 1023. To amend Section 17 of an Act, approved July 7, 1947, entitled "An Act to amend an act approved September 24, 1919 entitled 'An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court' as last amended."; and to provide that this Act shall be retroactive.

Also:

H. 1024. To alter or rearrange the boundary lines of the Town of Vestavia Hills, Alabama, so as to include within the corporate limits of said Town territory not already included therein.

Also:

H. 1025. To alter and extend the boundary lines and corporate limits of the City of Cordova in Walker County, Alabama.

Also:

H. 1026. To authorize and empower the sheriff of Wilcox County to appoint an additional deputy whose compensation shall be paid in part out of the general fund in the county treasury.

Also:

H. 1031. To create the office of Deputy Solicitor for Chilton County; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; and to repeal all general and local laws in conflict herewith so far as they relate to Chilton County, Alabama.

Also:

H. 1032. To alter or rearrange the boundary line of the Town of Ragland, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 375. Authorizing any gas district now or hereafter organized in this state under the provisions of Act No. 762, adopted at the 1951 Regular Session of the Legislature of Alabama, to promulgate rules and regulations governing and relating to the installation, connection, maintenance and servicing of gas fixtures, pipes, appliances and equipment with respect to properties served by it and requiring that any person so installing, connecting, maintaining or servicing any such fixtures,

pipes, appliances and equipment be licensed by it, specifying the manner of adoption of such rules and regulations, and providing that no such rules or regulations shall supersede any applicable rules or regulations established by any municipality in this state.

Also:

H. 59. Relating to civil remedies and procedure: to provide further for venue in actions on policies or certificates of insurance.

Also:

H. 550. To authorize each county in this state to sell and issue from time to time interest bearing warrants or certificates of indebtedness for the purpose of acquiring and providing county airports; providing that such warrants and certificates shall evince general obligation indebtedness of the county; authorizing each county to pledge and use for payment of the principal of and interest on such warrants and certificates so much as may be necessary for such purposes of the proceeds of any county privilege, license or excise tax now or hereafter levied in whole or in part for the construction, maintenance, and operation of county airports; specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 89. Naming House Bill 17.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 90. Congratulating Honorable George C. Hawkins upon his being elected a Fellow in the International Academy of Trial Lawyers.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

#### JOINT RESOLUTION

By Messrs. Boutwell and Lamberth:

S. J. R. 88. Be it resolved by the Legislature of Alabama, both Houses thereof concurring: That the members of the Legislature express their thanks and appreciation to James V. Jordan, Budget Officer of the State of Alabama, for the valuable advice and assistance which he



has rendered the Legislature, its members and committees, during the ~~current session of the Legislature.~~

J. E. SPEIGHT,  
Secretary.

### SENATE MESSAGE

On motion of Mr. Simon the rules were suspended and the House concurred in and adopted the S. J. R. 88 set out in the above and foregoing Message from the Senate.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 969. To establish an inferior court of record to be called the Bessemer Civil and Criminal Court; to define the jurisdiction and power of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same; and to otherwise provide for said Court. Said Court to be created in the precinct or precincts lying within or partly within the City of Bessemer, Jefferson County, Alabama. Said Court to be created in lieu of all Justices of the Peace and Notary Public ex-officio Justices of the Peace in said precinct or precincts.

J. E. SPEIGHT,  
Secretary.

### SENATE MESSAGE

On motion of Mr. Meeks the House concurred in and adopted the Senate amendment to the bill, H. 969, said Senate amendment being as follows:

### AMENDMENT TO H. B. 969

Amend Section 5 of H. B. 969 by adding immediately after the word "Governor" the following: "Whenever a vacancy occurs, more than four months before a general election, the Governor shall forthwith order an election to be held by the qualified electors comprising the electors in the precincts over which the court has jurisdiction to elect a judge for the unexpired term. If the vacancy occurs within four months of, but before sixty days of, a general election the vacancy shall be filled at that election. If the vacancy occurs within sixty days before a general election, the Governor shall order a special election to be held on the first Tuesday after the lapse of sixty days from and after the day on which the vacancy is known to the Governor, and the judge elected at such special election shall hold office for the unexpired term.

Also amend Section 6 of H. B. 969 by striking therefrom the words and figures "eight thousand, Four hundred dollars (\$8,400)" and inserting in lieu thereof "Seven thousand Five Hundred Dollars (\$7,500.00).

### AMENDMENT TO HOUSE BILL 969

Amend Section 5 by striking therefrom the figures "1961" and inserting in lieu thereof the figures "1959".

Also, by striking the figures "1960" and inserting in lieu thereof the figures "1958".

Yeas 77; Nays 0.

**Yeas:**

Mr. Speaker	Gilchrist	Johnson (Tallapoosa)	Murphy
Adams	Gist	Kendall	Nettles
Albea	Goodwyn	Killough	Nice
Ashworth	Gregory	Kirkham	Nolen
Bassett	Grouby	Lee (Lawrence)	Oakley
Boyd	Hain	Locke (Choctaw)	Oden
Brannan	Hall	Locke (Perry)	Payne
Brassell	Haltom	Love	Pirkle
Brewer	Hanby	McClendon	Reynolds
Broadfoot	Hardy	McKay	Selman
Brown (Lamar)	Hare	McLendon	Shumate
Burkhalter	Harrison	McNider	Solomon
Callahan	Harvey	Martin	Speaks
Cox	Hawkins	Mathews	Stembridge
deGraffenried	Hodges	Mathison	Stokes
Dement	Holliman	Meeks	Taylor
DeSear	Huddleston	Merrill	Vacca
Dickson	Hunt	Molette	Windle
Faulk	Jenkins	Money	Wood
Ferrell			

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**REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS**

**Mr. Speaker:**

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 681. To amend Section 11 of Title 19, Code of Alabama (1940), which relates to the appointment of commissioners in condemnation proceedings; requiring the judge of probate to appoint the members of the county board of equalization to serve as commissioners in any condemnation proceeding where the county is a party to such proceeding, in any county having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

**Also:**

H. 989. Relating to counties having a population of not less than 22,750 nor more than 23,500 inhabitants, according to the last or any subsequent federal decennial census; authorizing the county board of education of such counties to cancel the contract with any teacher by unanimous vote of the members of the board; and authorizing, directing, and requiring the county board of education of such counties to cancel the contract with any teacher who advocates integration of the races in the public school, or who is a member of any organization or association which advocates integration of the races in the public schools.

**Also:**

H. 992. To provide for and require the reidentification of each qualified elector in DeKalb County, Alabama, and to require the Board of Registrars in DeKalb County to take the necessary action to purge

~~the lists of the qualified electors in DeKalb County and to authorize~~  
the employment of investigators to assist in purging such lists; and to provide that any person making a willfully false statement in connection with reidentification shall be guilty of perjury; to provide for transfer of certain duties pertaining to preparation of ballots, list of voters, supervision and control of voters' lists and expenses of same from the office of the Judge of Probate to the Board of Registrars; to provide for the appointment of a secretary for the board of Registrars, and to fix his compensation, method of appointment and to provide for other employees of the Board of Registrars; to fix the duties of the secretary of the Board of Registrars, and to provide for the payment of the compensation of the secretary of the board of Registrars and other employees of the Board from the general fund of DeKalb County, Alabama.

Also:

H. J. R. 84. Relative to naming House Bill 22.

Also:

H. 1008. To authorize the clerk of the circuit court of Chambers County to appoint a deputy clerk and register; regulating the compensation of such deputy and providing for the payment thereof out of the general fund in the county treasury; repealing Act No. 30, H. 160, approved June 27, 1947, (Local Acts of 1947, p. 24), as amended by an Act approved July 22, 1949 (Acts of 1949, p. 404).

Also:

H. 1010. Relating to the election of the Mayor of the City of Russellville, Alabama, by providing for a second or run-off election in the event no candidate for the office of Mayor receives in the first or regular election a majority of the votes cast therein.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 35. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes.

Also:

S. 132. To create a lien in behalf of hospitals upon any cause of action accruing to any injured person to whom such hospital furnished care and treatment; to provide the means of perfecting said lien; to provide for the time in which such lien must be filed and suit brought

thereon; to provide that no release or settlement of any such causes of action shall be effective as against such lien unless such hospital or its assignee shall join therein or execute a release therefor; to provide for the filing of such lien; to provide that acceptance of release or satisfaction of any cause of action, suit, claim, counter claim, demand or judgment and any settlement in absence of release or satisfaction of lien shall prima facie constitute impairment of such lien, and to give lien holder right of action at law for damages on account of such impairment, to provide for recovery from one accepting release or satisfaction or making settlement; to except monies due under the Workmen's Compensation Act from the provisions herein and to repeal conflicting laws.

Also:

S. 200. To amend Sections 364 and 366 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Also:

S. 219. To amend further Section 440 of Title 37 of the Code of 1940 relating to municipal operations.

Also:

S. 226. To authorize municipalities in this state to acquire properties suitable for use as post offices, to lease such properties to the United States Government subject to certain requirements, to finance the acquisition of such properties by the issuance of negotiable revenue bonds payable solely out of the rental of such properties and to secure the bonds by pledges of such rentals and by mortgages on such properties, and to make or accept contributions toward the cost of such properties; to authorize the refunding of bonds issued hereunder; to provide remedies in the event of default respecting bonds issued hereunder, to exempt from taxation the properties acquired under authority of this act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor and lease agreements hereunder; to provide that bonds and agreements made in connection therewith shall not constitute an indebtedness of the municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under Alabama laws; to prescribe the purposes for which the proceeds from the sale of such bonds may be used; and to provide that no notice to or consent or approval of any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Also:

S. 241. To confer on each city in this state having a population of 6,000 or more inhabitants according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance, street and sidewalk improvements and sewer improvements outside of the corporate limits of such city and within its police jurisdiction as it may have under any law now existing or hereafter enacted respecting the construction of, and the issuance of securities to finance, any such improvements within the corporate limits of such city; to confer on each such city the same powers to assess the cost of any such improvements, whether constructed within the city or outside the city and within its police jurisdiction, against the properties specially benefited by such improvements whether such properties are located in such city or

outside such city and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such city of the cost of such improvements constructed in such city; to confer on each such city the power to finance any such improvements, constructed outside the city and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements; and to repeal Act No. 884 adopted at the 1953 Regular Session of the Legislature of Alabama.

Also:

S. 242. To amend Sections 308, 309, 310, 312 as heretofore amended, 313, 314, 315, 325 as heretofore amended, 327, 329, and 340 of Title 37 of the Code of Alabama of 1940, all of said Sections being in Subdivision 3 of Article 2 of Chapter 6 of said Title 37, so as to confer on each county and municipality in the state the same powers with respect to the acquisition and financing of electric systems that are conferred by said subdivision with respect to water, sanitary sewer, and gas systems; so as to authorize each county or municipality to consolidate any two or more of its systems, including water, sanitary sewer, gas and electric systems; so as to authorize each county and municipality to issue its revenue bonds (a) for financing the acquisition, improvement, enlargement, extension and repair of any one or more of its water, sanitary sewer, gas, and electric systems, or any such consolidated system or systems; (b) for refunding any bonds heretofore or hereafter issued under said subdivision, or (c) for the combined purpose of such financing and such refunding; so as to authorize such county and municipality to make its revenue bonds hereafter issued under said subdivision payable solely out of the revenues from any one or more of its said systems, regardless of the system or systems for the benefit of which such revenue bonds may be issued and regardless of whether or not any of said systems may have been consolidated; so as to make additional provisions with respect to bonds hereafter issued under said subdivision and statutory mortgage liens hereafter created thereunder; so as to revise the provisions of said subdivision respecting the custody and disposition of the revenues from systems hereafter made subject to such liens; so as to provide that the due recording of a notice of such lien shall operate as constructive notice thereof; so as to revise the provisions of said subdivision respecting publication of notice of the authorization of bonds thereunder; and to repeal Sections 331, 332 and 333 of said Title 37.

Also:

S. 293. To amend Section 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Also:

S. 243. To authorize and make provision for the incorporation in any municipality in this state of one or more public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, and operating buildings for use by the municipality in which any such corporation shall be organized in the performance of the municipal functions of such municipality; to provide for the election of the directors and officers of each such corporation; to specify its powers; to authorize it and the municipality in which it is organized to enter into leases covering properties of such corporation and to specify requirements respecting such leases; to declare the securing and supplying of reasonable and adequate building, office and storage facilities for the officers, courts, jails, departments, and agencies of the municipality performing municipal duties to be an essential

governmental function of the municipality and the rentals payable by the municipality for such purpose to constitute a necessary governmental operating expense of the municipality; to prohibit the municipality in which any such project is located from leasing, or renewing any then existing lease with respect to, any office or storage space in any other buildings located in or about the municipality in which any such project is located while office or storage space is available in such project; to authorize the issuance by such corporation of interest bearing revenue bonds payable solely out of the revenues from the project with respect to which they are issued; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of such revenues, lease and rentals by mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from taxation the properties of said corporation and the income from the leases made with respect thereto, said bonds and the income therefrom, and said leases and mortgages; to authorize investment of idle and surplus funds of the municipality in said bonds; to provide that said bonds shall be legal investment for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and mortgage and the proceedings authorizing the same; to authorize the transfer to said corporation, with or without consideration, of properties owned by the municipality whether or not they are necessary for the conduct of governmental or other public functions of the municipality; to provide for the vesting in the municipality of title to each project of said corporation as and when bonds which are payable, in whole or in part, from the revenues derived from such project shall have been paid in full; and to provide for the dissolution of said corporation.

Also:

S. 353. To impose in Winston County, Alabama, an excise tax of one cent (1c) per gallon upon the selling, using or consuming, distributing, storing, or withdrawing from storage, for any use, of gasoline, as defined in the act, including gasoline, naptha, and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines; to provide that the said tax shall be collected and paid over to the State Department of Revenue for the use of said county by distributors, refiners, retail dealers, storers, or users, as defined in the act, of gasoline, as so defined; to provide that the said tax shall be a levy upon the consumer, with the distributor, refiner, retail dealer and storer acting merely as agent for its collection; to provide that the said tax shall be in addition to all other taxes; to provide for certain exemptions from the tax; to require every distributor, refiner, retail dealer, storer or user of gasoline, as so defined, to make monthly reports as to sales, use, distributions and withdrawals from storage of gasoline, as so defined, and to pay over monthly an amount of money equal to the tax; to require such distributors, refiners, storers and retail dealers to keep for not less than three years records of sales and distributions or withdrawals from storage of gasoline, as so defined; to require such distributors, refiners, storers, and retail dealers to report their addresses, and any changes therein, to the State Department of Revenue; to provide penalties for violations of this act; to provide for collection of the tax and to authorize the State Department of Revenue to make rules and regulations for such collections; to provide for the restraint of violators of this act from further distribution, sale, storage or withdrawal from storage of gasoline, as herein defined;

and to provide for use of the proceeds from said tax, after deduction of the cost of collection, for construction, reconstruction, maintenance, and repair of highways and bridges in said county, including payment of the principal of and interest on securities or other obligations issued to finance such construction or reconstruction or to refund such obligations.

J. E. SPEIGHT,  
Secretary.

### SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 79. Relative to naming Senate Bill 21.

J. E. SPEIGHT,  
Secretary.

### SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

### RESOLUTIONS

The following resolutions were introduced:

By Mr. Dawkins:

H. J. R. 92. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Acts and the Journals of the three previous Special Sessions of 1955 be bound respectively with the Acts and Journals of this Regular Session of 1955.

On motion of Mr. Dawkins the rules were suspended and H. J. R. 92 was adopted.

Also:

By Mr. Dawkins:

H. J. R. 93. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Secretary of the Senate, the Clerk of the House, the Secretary of State and the doorkeepers of the House and Senate be and they are hereby relieved of any responsibility for the Codes, Supplements and other books furnished to the members of the Legislature.

On motion of Mr. Dawkins the rules were suspended and H. J. R. 93 was adopted.

Also:

By Mr. Dawkins:

H. R. 94. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the Building Commission and Mr. H. H. Houk, Director thereof, be extended the thanks of the House for the loan of Mr. William Lawrence, Jr., Electrical Engineer, who has so efficiently and ably maintained the electrical roll call system of the House.

BE IT FURTHER RESOLVED that the Clerk of the House send to the Building Commission a copy of this Resolution.

On motion of Mr. Dawkins the rules were suspended and H. R. 94 was adopted.

Also:

By Mr. Dawkins:

H. J. R. 95. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that the Brown Printing Company, and especially Mr. Herbert Nation, Executive Vice President thereof, be extended the thanks of this Legislature for the most efficient and capable manner in which the printing of documents of the Legislature has been performed.

On motion of Mr. Dawkins the rules were suspended and H. J. R. 95 was adopted.

#### BILLS ON THIRD READING

#### H. 1007 INDEFINITELY POSTPONED

On motion of Mr. Brannan, the bill, H. 1007, was indefinitely postponed.

And the bill:

S. 363. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed.

Yeas 89; Nays 0.

#### Yeas:

Mr. Speaker	deGraffenried	Hardy	Law
Adams	Dement	Hare	Lee (Barbour)
Albea	DeSear	Harrison	Lee (Lawrence)
Ashworth	Dickson	Harvey	Locke (Choctaw)
Boyd	Faulk	Hawkins	Locke (Perry)
Bradford	Ferrell	Hodges	Love
Brannan	Franklin	Holliman	McClendon
Branyon	Gilchrist	Huddleston	McKay
Brassell	Gist	Hunt	McLendon
Brewer	Goodwyn	Jenkins	McNider
Broadfoot	Gregory	Johnson (Tallapoosa)	Martin
Brown (Lamar)	Grouby	Kelly	Mathews
Burkhalter	Hain	Kendall	Mathison
Callahan	Hall	Killough	Meeks
Cox	Haltom	Kirkham	Merrill
Dawkins	Hanby	Lackey	Molette



<del>Money</del>	<del>Pirkle</del>	<del>Solomon</del>	<del>Taylor</del>
Nettles	Ramey	Speaks	Thomas
Nice	Reynolds	Steagall	Vacca
Nolen	Roberts	Stembridge	Ward
Oakley	Selman	Stokes	Windle
Oden	Simon	Summerlin	Wood
Payne			

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And the bill:

S. 364. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Was read a third time at length and passed.

Yeas 91; Nays 0.

**Yeas:**

Mr. Speaker	Ferrell	Kelly	Nolen
Adams	Franklin	Kendall	Oakley
Albea	Gilchrist	Killough	Oden
Ashworth	Gist	Kirkham	Payne
Bassett	Goodwyn	Lackey	Pirkle
Boyd	Gregory	Law	Ramey
Bradford	Grouby	Lee (Lawrence)	Reynolds
Brannan	Hain	Locke (Choctaw)	Roberts
Branyon	Hall	Locke (Perry)	Selman
Brassell	Haltom	Love	Shumate
Brewer	Hanby	McClendon	Simon
Broadfoot	Hardy	McKay	Solomon
Brown (Lamar)	Hare	McLendon	Speaks
Burkhalter	Harrison	McNider	Steagall
Callahan	Harvey	Martin	Stembridge
Cox	Hawkins	Mathews	Summerlin
Davis	Hodges	Mathison	Taylor
Dawkins	Holliman	Meeks	Thomas
deGraffenried	Huddleston	Merrill	Vacca
Dement	Hunt	Molette	Ward
DeSear	Jenkins	Money	Windle
Dickson	Johnson (Elmore)	Nettles	Wood
Faulk	Johnson (Tallapoosa)	Nice	

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And the bill:

S. 366. To abolish the office of deputy solicitor in St. Clair County, and to create in lieu thereof the office of county solicitor of St. Clair County; to fix the qualifications of the county solicitor; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

Was read a third time at length and passed.

Yeas 90; Nays 0.

**Yeas:**

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Branyon	Gregory	Law	Oden
Brassell	Grouby	Lee (Barbour)	Payne
Brewer	Hall	Lee (Lawrence)	Pirkle
Broadfoot	Haltom	Locke (Choctaw)	Pruitt
Brown (Lamar)	Hanby	Locke (Perry)	Ramey
Burkhalter	Hardy	Love	Reynolds
Callahan	Hare	McClendon	Selman
Cornett	Harrison	McKay	Simon
Cox	Harvey	McNider	Speaks
Davis	Hawkins	Martin	Steagall
Dawkins	Hodges	Mathews	Stembridge
deGraffenried	Holliman	Mathison	Stokes
Dement	Huddleston	Meeks	Summerlin
DeSear	Hunt	Merrill	Taylor
Dickson	Johnson (Elmore)	Money	Thomas
Faulk	Johnson (Tallapoosa)	Murphy	Tyson
Ferrell	Kelly	Nettles	Vacca
Franklin	Kendall	Nice	Ward
Gilchrist	Killough	Nolen	Windle
Gist	Kirkham	Oakley	Wood
Goodwyn	Lackey		

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## S. 368 INDEFINITELY POSTPONED

On motion of Mr. McClendon, the bill, S. 368, was indefinitely postponed.

And the bill:

S. 372. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

Was read a third time at length and passed.

Yeas 95; Nays 0.

**Yeas:**

Mr. Speaker	Branyon	Cornett	Edwards (Escambia)
Adams	Brassell	Cox	Faulk
Albea	Brewer	Davis	Ferrell
Ashworth	Broadfoot	Dawkins	Franklin
Bassett	Brown (Lamar)	deGraffenried	Gilchrist
Boyd	Brown (Lee)	Dement	Gist
Bradford	Burkhalter	DeSear	Goodwyn
Brannan	Callahan	Dickson	Gregory

Grouby	Kelly	Mathison	Selman
<del>Hain</del>	<del>Kendall</del>	<del>Meeks</del>	<del>Shumate</del>
Hall	Killough	Merrill	Simon
Haltom	Kirkham	Molette	Solomon
Hanby	Lackey	Money	Speaks
Hardy	Law	Murphy	Steagall
Hare	Lee (Barbour)	Nettles	Stembridge
Harrison	Lee (Lawrence)	Nice	Stokes
Harvey	Locke (Choctaw)	Nolen	Summerlin
Hawkins	Locke (Perry)	Oakley	Taylor
Hodges	Love	Oden	Thomas
Holliman	McClendon	Payne	Vacca
Huddleston	McKay	Pirkle	Ward
Hunt	McNider	Ramey	Windle
Jenkins	Martin	Reynolds	Wood
Johnson (Tallapoosa)	Mathews	Richardson	

—95

And the bill:

S. 359. To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

Was read a third time at length and passed.

Yeas 94; Nays 0.

#### Yeas:

Mr. Speaker	Edwards (Escambia)	Kendall	Nolen
Adams	Faulk	Killough	Oakley
Albea	Ferrell	Kirkham	Oden
Ashworth	Franklin	Lackey	Payne
Bassett	Gilchrist	Law	Pirkle
Boyd	Gist	Lee (Lawrence)	Ramey
Bradford	Goodwyn	Locke (Choctaw)	Reynolds
Brannan	Grouby	Locke (Perry)	Roberts
Branyon	Hain	Love	Selman
Brassell	Hall	McClendon	Shumate
Brewer	Haltom	McKay	Simon
Broadfoot	Hanby	McLendon	Solomon
Brown (Lamar)	Hardy	McNider	Speaks
Brown (Lee)	Hare	Martin	Steagall
Burkhalter	Harrison	Mathews	Stembridge
Callahan	Harvey	Mathison	Stokes
Cornett	Hawkins	Meeks	Summerlin
Cox	Hodges	Merrill	Taylor
Davis	Holliman	Molette	Thomas
Dawkins	Huddleston	Money	Vacca
deGraffenried	Hunt	Murphy	Ward
Dement	Jenkins	Nettles	Windle
DeSear	Johnson (Tallapoosa)	Nice	Wood
Dickson	Kelly		

—94

#### RESOLUTION

The following resolution was introduced:

By Mr. Dement:

H. J. R. 96. Be it resolved by the House of Representatives, the Senate concurring:

1. There shall be a joint legislative committee to study the subject of juvenile delinquency in this State, and to make such recommendations with respect to necessary legislation in regard thereto as the committee may deem advisable.

2. The committee hereby created shall be composed of three members of the House of Representatives appointed by the Speaker of the House and two members of the Senate appointed by the President of the Senate. The members of the committee shall elect a chairman and a vice-chairman from among their number, and the committee shall meet upon the call of its chairman or a majority of its members. A majority of the members of the committee shall constitute a quorum for the transaction of business. Members of the committee shall be entitled to receive their regular legislative pay and expense allowance for each day in which they are actually engaged in the business of the committee while the Legislature is not in session. Such pay and allowances of the members shall be paid from the funds appropriated for the use of the Legislature.

3. The committee shall make a report of its findings and recommendations not later than the second legislative day of the next regular session of the Legislature.

4. The work of this Committee shall be limited to sixty (60) days.

5. This Committee shall be authorized to employ a secretary or clerk who shall be paid as other clerks of the Legislature are paid.

The motion of Mr. Dement to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 96 was lost.

Yeas 32; Nays 47.

#### Yeas:

Mr. Speaker	Dement	Hawkins	Nice
Ashworth	Edwards <sup>(Escambia)</sup>	Hodges	Oden
Branyon	Edwards <sup>(Jefferson)</sup>	Kelly	Selman
Brassell	Ferrell	Kendall	Shumate
Broadfoot	Gist	Love	Simon
Brown <sup>(Lamar)</sup>	Gregory	Mathews	Steagall
Burkhalter	Grouby	Mathison	Stembridge
Callahan	Hanby	Murphy	Vacca

—32

#### Nays:

Messrs.	Gilchrist	Lee <sup>(Barbour)</sup>	Perry
Boyd	Hain	Locke <sup>(Choctaw)</sup>	Pruitt
Bradford	Haltom	Locke <sup>(Perry)</sup>	Reynolds
Brewer	Hardy	McClendon	Richardson
Brown <sup>(Lee)</sup>	Harvey	McKay	Solomon
Cornett	Holliman	McNider	Stokes
Cox	Hunt	Merrill	Summerlin
Davis	Jenkins	Molette	Taylor
DeSear	Johnson <sup>(Elmore)</sup>	Nettles	Thomas
Dickson	Killough	Nolen	Ward
Faulk	Kirkham	Oakley	Windle
Franklin	Law	Payne	Wood

—47

And said resolution H. J. R. 96 was read and referred to the Standing Committee on Rules.

~~MESSAGE FROM THE SENATE~~

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 584. To provide for and authorize for any municipality in the State the incorporation of a board, as a public corporation, for the purpose of acquiring, owning, leasing, equipping, improving, maintaining, and enlarging a medical clinic within the municipality; to provide for the powers, authority, and duties of such board; to authorize each such board to borrow money and issue revenue bonds, payable solely from the rentals and other revenues derived from the medical clinic or its facilities financed by such bond issue; to authorize the board to pledge its rentals and other revenues for the payment of such bonds; to regulate the issuance, sale, and refunding of such bonds and other matters in connection therewith; to exempt from taxation the properties acquired under authority of this Act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor, and lease agreements made hereunder, and all documents executed by or delivered to any corporation organized hereunder; to provide that the bonds issued by such boards shall be legal investments for savings banks and insurance companies organized under the laws of Alabama; and to prescribe the purposes for which the proceeds derived from the sale of such bonds may be used.

Also:

H. 806. To amend further Section 380 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of clerks of juvenile courts in certain counties.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 355. To regulate further the registration of certain motor vehicles: prohibiting the registration of trucks, semi-trailer trucks, road tractors, or other like motor vehicles used for hire or for commercial purposes which are owned by non-residents, except as otherwise provided in Section 707 of Title 51, of the 1940 Code; requiring every person, firm, or corporation who applies for the registration of a truck, semi-trailer truck, or road tractor, or other like motor vehicle used for hire or commercial purposes to state under oath his name and address, and whether the vehicle is owned by a resident or by a non-resident; and making it a misdemeanor for any person to make a false statement in applying for the registration of a motor vehicle pursuant to this Act.

J. E. SPEIGHT,  
Secretary.

BILLS ON THIRD READING RESUMED  
MOTION ADOPTED

The motion of Mr. Brown (Lamar) to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 8, was adopted.

Yeas 83; Nays 8.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kelly	Oaklev
Adams	Edwards (Jefferson)	Kendall	Oden
Albea	Faulk	Killough	Payne
Ashworth	Ferrell	Kirkham	Perry
Bassett	Franklin	Lackey	Pirkle
Boyd	Gilchrist	Law	Ramey
Bradford	Gist	Lee (Lawrence)	Reynolds
Brannan	Goodwyn	Locke (Choctaw)	Roberts
Branyon	Gregory	Locke (Perry)	Selman
Brassell	Grouby	Love	Shumate
Brewer	Hall	McClendon	Simon
Broadfoot	Haltom	McKay	Speaks
Brown (Lamar)	Hanby	McLendon	Steagall
Brown (Lee)	Hare	McNider	Stembridge
Burkhalter	Harrison	Mathews	Stokes
Callahan	Hawkins	Mathison	Summerlin
Cox	Hodges	Merrill	Thomas
Davis	Holliman	Money	Vacca
Dawkins	Huddleston	Murphy	Ward
deGraffenried	Hunt	Nettles	Wood
Dickson	Johnson (Elmore)	Nolen	

—83

**Nays:**

Messrs.	Hardy	Molette	Richardson
Cornett	Lee (Barbour)	Pruitt	Solomon
Hain			

—8

And the bill:

S. 8. To amend further Section 15 of Title 30, Code of Alabama (1940), which relates to the remuneration of clerks of jury commissions, raising the per diem of such clerks from five to ten dollars a day.

Was read a third time at length and passed.

Yeas 97; Nays 0.

**Yeas:**

Mr. Speaker	Davis	Haltom	Law
Adams	Dawkins	Hanby	Lee (Barbour)
Albea	deGraffenried	Hardy	Lee (Lawrence)
Ashworth	Dement	Hare	Locke (Choctaw)
Bassett	DeSear	Harrison	Locke (Perry)
Boyd	Dickson	Harvey	Love
Bradford	Edwards (Escambia)	Hawkins	McClendon
Brannan	Edwards (Jefferson)	Hodges	McKay
Branyon	Faulk	Holliman	McLendon
Brassell	Ferrell	Huddleston	McNider
Brewer	Franklin	Hunt	Martin
Broadfoot	Gilchrist	Jenkins	Mathews
Brown (Lamar)	Gist	Johnson (Elmore)	Mathison
Brown (Lee)	Goodwyn	Johnson (Tallapoosa)	Merrill
Burkhalter	Gregory	Kelly	Molette
Callahan	Grouby	Killough	Money
Cornett	Hain	Kirkham	Nettles
Cox	Hall	Lackey	Nice

<del>Nolen</del>	<del>Ramey</del>	<del>Simon</del>	<del>Summerlin</del>
Oakley	Reynolds	Solomon	Taylor
Oden	Richardson	Speaks	Thomas
Payne	Roberts	Steagall	Vacca
Perry	Selman	Stembridge	Ward
Pirkle	Shumate	Stokes	Windle
Pruitt			

—97

## MOTION ADOPTED

The motion of Mr. Davis to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 307, was adopted.

Yeas 80; Nays 10.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Kendall	Nolen
Adams	Faulk	Killough	Oden
Ashworth	Ferrell	Lackey	Payne
Bassett	Franklin	Lee (Barbour)	Pirkle
Boyd	Gilchrist	Lee (Lawrence)	Reynolds
Bradford	Gist	Locke (Choctaw)	Selman
Brannan	Gregory	Locke (Perry)	Shumate
Branyon	Grouby	Love	Simon
Brassell	Hall	McKay	Speaks
Brewer	Haltom	McLendon	Steagall
Broadfoot	Hanby	McNider	Stembridge
Brown (Lamar)	Hare	Mathews	Stokes
Callahan	Harrison	Mathison	Summerlin
Cox	Hawkins	Meeks	Taylor
Davis	Hodges	Merrill	Thomas
Dawkins	Holliman	Molette	Tyson
deGraffenried	Hunt	Money	Vacca
Dement	Jenkins	Murphy	Ward
Dickson	Johnson (Tallapoosa)	Nettles	Windle
Edwards (Escambia)	Kelly	Nice	Wood

—80

**Nays:**

Messrs.	Hardy	Martin	Richardson
Goodwyn	Huddleston	Pruitt	Solomon
Hain	Kirkham	Ramey	

—10

And the bill:

S. 307. To amend Section 1 of Act No. 169 of the Regular Session of the Legislature of 1945, (General Acts of Alabama 1945, Page 285, Section 1, effective August 22, 1945), as amended, by including within the definition of a producer as is defined in Sub-section (d) of said Section any person who assembles or causes to be assembled any forest products for shipment out of the State of Alabama in an unmanufactured condition.

Was read a third time at length and passed.

Yeas 93; Nays 0.

**Yeas:**

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Branyon	Gregory	Lackey	Payne
Brassell	Grouby	Lee (Barbour)	Perry
Brewer	Hain	Lee (Lawrence)	Pirkle
Broadfoot	Hall	Locke (Choctaw)	Ramey
Brown (Lamar)	Haltom	Locke (Perry)	Reynolds
Brown (Lee)	Hanby	Love	Richardson
Callahan	Hardy	McClendon	Selman
Cornett	Hare	McKay	Shumate
Cox	Harrison	McNider	Simon
Davis	Harvey	Martin	Solomon
deGraffenried	Hawkins	Mathews	Speaks
Dement	Hodges	Mathison	Steagall
DeSear	Holliman	Meeks	Stembridge
Dickson	Hunt	Merrill	Stokes
Edwards (Escambia)	Jenkins	Molette	Summerlin
Edwards (Jefferson)	Johnson (Tallapoosa)	Murphy	Taylor
Faulk	Kaul	Nettles	Thomas
Ferrell	Kelly	Nice	Vacca
Franklin	Kendall	Nolen	Ward
Gilchrist	Killough	Oakley	Windle
Gist	Kirkham	Oden	Wood
Goodwyn			

—93

## MOTION ADOPTED

The motion of Mr. Davis to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 25, was adopted.

Yeas 76; Nays 12.

**Yeas:**

Mr. Speaker	DeSear	Jenkins	Molette
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Money
Albea	Edwards (Jefferson)	Kelly	Nettles
Ashworth	Faulk	Kendall	Nolen
Bassett	Ferrell	Killough	Payne
Boyd	Franklin	Kirkham	Perry
Brannan	Gilchrist	Law	Richardson
Branyon	Gist	Lee (Barbour)	Selman
Brassell	Goodwyn	Lee (Lawrence)	Simon
Brown (Lamar)	Gregory	Locke (Choctaw)	Speaks
Brown (Lee)	Hall	Locke (Perry)	Steagall
Burkhalter	Hanby	Love	Stokes
Callahan	Hare	McClendon	Summerlin
Cornett	Harrison	McKay	Taylor
Cox	Harvey	McLendon	Thomas
Davis	Hawkins	Martin	Tyson
Dawkins	Hodges	Mathison	Vacca
deGraffenried	Holliman	Meeks	Windle
Dement	Hunt	Merrill	Wood

—76

**Nays:**

Messrs.	Hain	McNider	Solomon
Bradford	Haltom	Murphy	Stembridge
Broadfoot	Hardy	Oakley	Ward
Dickson			

—12

And the bill:



S. 25. To establish the Alabama Stonewall Jackson Memorial Fund; ~~to set forth the purposes for which such fund is to be established; to~~ set up a board of trustees to administer the fund; to make an appropriation of twenty thousand dollars (\$20,000.00) to said fund.

Was read a third time at length and passed.

Yeas 82; Nays 5.

**Yeas:**

Mr. Speaker	Ferrell	Killough	Payne
Adams	Franklin	Kirkham	Perry
Albea	Gilchrist	Law	Pirkle
Ashworth	Gist	Lee (Barbour)	Pruitt
Bassett	Goodwyn	Lee (Lawrence)	Ramey
Boyd	Gregory	Locke (Choctaw)	Richardson
Brannan	Grouby	Locke (Perry)	Selman
Branyon	Hall	Love	Simon
Brassell	Hanby	McClendon	Solomon
Broadfoot	Hardy	McKay	Speaks
Brown (Lamar)	Hare	McLendon	Steagall
Brown (Lee)	Harrison	Martin	Stokes
Callahan	Harvey	Mathews	Summerlin
Cox	Hawkins	Mathison	Taylor
Davis	Hodges	Merrill	Thomas
Dawkins	Holliman	Molette	Tyson
deGraffenried	Hunt	Money	Vacca
Dement	Jenkins	Nettles	Ward
Edwards (Escambia)	Johnson (Tallapoosa)	Nolen	Windle
Edwards (Jefferson)	Kelly	Oden	Wood
Faulk	Kendall		

—82

**Nays:**

Messrs.	Dickson	Murphy	Oakley
Bradford	Haltom		

—5

**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 62. Authorizing the creation of a public corporation within each county in the State which shall have the power to construct, lease, own and operate irrigation projects, hydro-electric power producing projects, sell water and water rights and have certain other powers and duties; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable from the revenues of such projects, to pay the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no debt of the State or any political subdivision thereof shall be incurred in the exercise of any of the powers granted by this Act; granting such corporations the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

**J. E. SPEIGHT,**  
Secretary.

## SENATE MESSAGE

On motion of Mr. Fite the House concurred in and adopted the Senate substitute for the bill, H. 62, said Senate substitute being as follows:

## SUBSTITUTE FOR HOUSE BILL 62

A BILL  
TO BE ENTITLED  
AN ACT

Authorizing the creation of a public corporation within any county in the State which shall have the power to construct, lease, own and operate projects for irrigation and other purposes, sell water and have certain other powers and duties; prescribing the means and fixing the responsibility for the issuance of permits to the Corporation for construction and operation of projects and fixing the responsibility regarding compliance with the terms of the permit; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable from the revenues of such projects, to pay the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no debt of the State or any political subdivision thereof shall be incurred in the exercise of any of the powers granted by this Act; granting such corporations the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

## BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of any county of this State is hereby authorized to declare, by the adoption of an appropriate resolution, the need for the formation of a County Water Conservation and Irrigation Corporation, or other such corporation as herein provided for. Upon the adoption of such resolution the governing body shall appoint five persons, each of whom must be a duly qualified elector and property owner in the county, who shall form the board of directors of such corporation and shall proceed to organize such corporation.

Section 2. The certificate of incorporation of the corporation shall state: The names of the persons forming the corporation together with the residence of each thereof and a statement that each of them is a duly qualified elector of and property owner in the county; the name of the corporation; the location of its principal office, which shall be in the county seat of the county; and any other matters relating to the corporation which the incorporators may choose to insert and which shall not be inconsistent with this Act or with the laws of the State. The name designated for the corporation in the certificate of incorporation shall be one indicating the purpose thereof, such as "..... County Water Conservation and Irrigation Corporation" or some other name of similar import. The certificate of incorporation shall be signed and acknowledged by the incorporators before an officer authorized by the laws of the State to take acknowledgements of deeds, and the certificate of incorporation shall have attached thereto a certified copy of the resolution provided for in Section 1, and a certificate by the Secretary of State that the name proposed for the corporation is not identical with that of any other corporation in the State or so nearly similar thereto as to lead to confusion and uncertainty.

Section 3. The certificate of incorporation with the documents attached shall be filed with the Judge of Probate of the county and the Secretary of State, who shall forthwith receive and record the same. When such certificate is so filed the corporation referred to therein

shall come into existence and shall constitute a body corporate and politic, vested with the rights and powers herein granted.

Section 4. All powers of the corporation shall be exercised by the board of directors or pursuant to its authority. The directors shall be elected by the governing body of the county for staggered terms of office as follows: two years, three years, four years, five years, and six years; and thereafter the term of office of each director shall be six years. If any director resigns or dies or becomes incapable of acting as a director or ceases to reside in the county, the governing body shall elect a successor to serve for the unexpired term. Directors shall be eligible for re-election by the county governing body to succeed themselves in office. A majority of the members of the board shall constitute a quorum for the transaction of business. The corporation shall have a president, a vice-president, a secretary, and a treasurer, but the office of secretary and treasurer may be held by the same person. All officers shall be elected by the board. The members of the board and the officers shall serve without compensation, except that they may be reimbursed for actual expenses incurred in the performance of their duties. All proceedings of the board shall be reduced to writing by the secretary of the corporation and recorded in a well bound book. Copies of such proceedings, when certified by the secretary of the corporation under its seal, shall be received in all courts as evidence of the matters and things therein certified.

Section 5. A corporation organized and established under the provisions of this Act shall have the following powers, subject only to the limitations described in Section 6 following:

a. To adopt bylaws for the regulation of its affairs and the conduct of its business.

b. To adopt an official seal and alter the same at pleasure.

c. To maintain a principal office at the county seat, and sub-offices at such place or places within the county as it may designate.

d. To sue and be sued in its own name.

e. To enter into contracts and agreements or do any act necessary or incidental to the performance of its duties and execution of its powers under this Act.

f. To acquire, hold and dispose of real and personal property or any interests therein.

g. To provide a water supply by impounding a stream or by development and use of wells by either construction, lease, or purchase.

h. To develop and operate an irrigation project, including the facilities necessary thereto, either by construction, lease, or purchase.

i. To provide for the control of floods by impounding surplus water or by other means to the extent that such work is economically feasible and desirable and not opposed to the need of water for irrigation.

j. To provide for multiple purpose developments where such are feasible and not in conflict with need of water for irrigation use, including developments for water power and water for municipal and industrial uses.

k. To establish rates for water and power sold to irrigators, municipalities, industries, and other customers, and authorize collection thereof, such rates to be determined on the basis of the revenue required to operate and maintain the development and for amortization of bonded indebtedness.

l. To issue revenue bonds and refunding bonds in accordance with the provisions of this Act.

m. To promulgate such rules and regulations as may be required for the reasonable and efficient conduct of its business.

n. To enter into agreements and contracts with agencies of the Federal Government in relation to any project or work undertaken or proposed by the corporation.

o. To enter into agreements or contracts relating to irrigation with other similar corporations for the development of a common water shed where development for water power is not included. Provided, however, that any such agreements must receive the prior approval of the Director of the State Department of Conservation.

p. To accept gifts from any source whatever.

q. To have and exercise the right of eminent domain in the manner provided in Title 19, Code of Alabama 1940, as amended, for the condemnation of private properties for public use.

Section 6. Before any construction work on any project may be undertaken by any corporation created under the terms of this Act, said corporation shall apply to the Director of the State Department of Conservation for a permit authorizing the proposed development. The corporation shall furnish with the application for permit the following information: preliminary plans consisting of maps, plats, plans and drawings, showing the general features of the development or developments it proposes to make, with amount of water which will be required as related to the naturally available supply, the land areas, and, if a multiple purpose project, the other clients which will benefit from the development, and such other details as may be needed to make clear the extent and scope of the project. The said Director shall make or have made a study of the water needs of the project as compared to the available supply and as related to the existing or anticipated needs of other water users in the basin who may be affected by the proposed development, making use of such studies or open public hearings as may, in his judgment, be required. Based on his findings, authority to develop as proposed or as modified for the purpose of protecting and conserving water supplies for others shall be granted. It shall further be the duty of the said Director to systematically check into the construction and operation of projects for which permits have been granted to ascertain if corporation is complying with the terms and conditions of the permit. In the event any corporation is found not to be complying with the terms and conditions of the permit issued by said Director, said Director forthwith shall notify the corporation in writing in what manner the terms and conditions of the permit are being violated and said corporation shall have thirty days after receipt of said notice to rectify or correct whatever violations are being committed. In the event corrections are not made at the end of the thirty day period or any extension of time which the said Director shall have the authority to give, the Director shall make application in proper form to the Circuit Court in the county or counties in which such violation is located for a court order making mandatory the correction which he deems necessary.

Section 7. In the event that a State agency other than the State Department of Conservation may hereafter be charged with such responsibility as is in this Act charged to the State Department of Conservation, the terms "Director", "said Director" or "Director of the State Department of Conservation" wherever used in this Act shall be construed to mean the executive head of the State agency so charged.

Section 8. Any such corporation is hereby authorized to provide by resolution for the issuance of bonds of the corporation for any of

its corporate purposes, including the refunding of its bonds. The principal of and the interest on any issue of such bonds shall be payable solely from, and may be secured by a pledge of, tolls, rentals, sales receipts and other revenues of all or any part of the project or projects financed in whole or in part with the proceeds of such bond issue or with the proceeds of bonds refunded or to be refunded by such issue. The proceeds of any such bonds may be used or pledged for the payment or security of the principal or of the interest on bonds, and for the establishment of any or all reserves for such payment or security, or for other corporate purposes as the corporation may authorize in the resolution authorizing the issuance of bonds or in the trust agreement securing the same. The bonds of each issue shall be dated; shall bear interest not in excess of six per cent per annum; shall mature at such time or times, not exceeding forty (40) years from their date or dates, as may be determined by the corporation; and may be made redeemable before maturity, at the option of the corporation, at such price or prices, and under such terms and conditions, as may be fixed by the corporation prior to the issuance of the bonds. The amount of premium on any bond shall not cause the yield to be more than six per cent per annum from the date of such bonds to the date of their redemption. The corporation shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the State. The bonds shall be signed by the president of the corporation or shall bear his facsimile signature; and the official seal of the corporation or a facsimile thereof shall be impressed, imprinted, engraved, or otherwise reproduced thereon. The official seal or a facsimile thereof shall be attested by the secretary of the corporation, or shall bear his facsimile signature and any coupons attached thereto shall bear the facsimile signature of the president of the corporation. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until such delivery. All bonds issued under the provisions of this Act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the State. The bonds may be issued in coupon or in registered form, or both, as the corporation may determine; and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The corporation may sell such bonds in such manner and for such price, as it may determine to be for the best interest of the corporation.

The corporation shall have power from time to time, in anticipation of the issuance of bonds, to issue notes, and from time to time to issue renewal notes maturing not later than three years from their respective dates, in an amount not exceeding the amount of bonds issued under the provisions of this Act. The authorization and issuance of such notes, the interest thereon, the rights of the holders thereof, and the rights, duties, and obligations of the corporation in respect thereto, shall be governed by the provisions of this Act with respect to the issuance of bonds, insofar as the same may be applicable.

The corporation may, out of any funds available therefor, purchase notes or bonds, which shall thereupon be cancelled, at not more than the redemption price then applicable, or, if not then redeemable, at a premium of not more than one per cent of their face amount, plus accrued interest to the date of purchase.

Neither the members of the corporation nor any person executing the notes or bonds shall be personally liable on the notes or bonds, or be accountable by reason of the issuance thereof in accordance with the provisions of this Act.

The proceeds of the bonds of each issue shall be disbursed in such manner and under such restrictions as the corporation may provide in the resolution authorizing the issuance of the bonds, or in the trust agreement, hereinafter mentioned, securing the bonds.

Prior to the preparation of definitive bonds, the corporation may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds shall have been executed and are available for delivery. The corporation may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Bonds may be issued under the provisions of this Act without obtaining the consent of any department, division, commission, board, bureau, or agency of the State, and without any other proceedings of the happenings of any other conditions or things than those proceedings, conditions, or things which are specifically required by this Act.

Section 9. The corporation may provide by resolution for the issuance of refunding bonds for the purpose of refunding any bonds then outstanding which shall have been issued under the provisions of this Act, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds, and, if deemed advisable by the corporation, for the additional purpose of constructing improvements, extensions or enlargements of the project or projects in connection with which the bonds to be refunded shall have been issued. The corporation is further authorized to provide by resolution for the issuance of its bonds for the combined purpose of (a) refunding any bonds then outstanding which shall have been issued under the provisions of this Act, including the payment of any redemption premium thereof and any interest accrued or to accrue to the date of redemption of such bonds, and (b) paying all or any part of the cost of any additional project or projects. The issuance of such bonds, the maturities and other details thereof, the rights of the holders thereof, and the rights, duties and obligations of the corporation in respect to the same, shall be governed by the provision of this Act insofar as the same may be applicable.

Section 10. At the discretion of the corporation, any bonds issued under the provisions of this Act may be secured by a trust agreement by and between the corporation and a corporate trustee, which may be any trust company, or bank having the powers of a trust company, within or without the State. The trust agreement, or the resolution providing for the issuance of such bonds (subject to the provisions of Section 6 of this Act), may pledge or assign tolls, rentals, sales receipts, or other revenues to which the corporation's right then exists or which may thereafter come into existence, and the moneys derived therefrom, and the proceeds of such bonds; provided, however, that the trust agreement or resolution shall not convey or mortgage any project or any part thereof. Such trust agreement or resolution providing for the issuance of bonds, may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including: Covenants setting forth the duties of the corporation in relation to the acquisition of property and the construction, improvement, maintenance, repair, operation, and insurance of the project or projects; the rates of tolls, rentals, sales, receipts, and other revenues to be charged; the payment, security, or redemption of bonds, and the custody, safeguarding, and application of all moneys; and

provisions for the employment of consulting engineers in connection with the construction or operation of such project or projects. It shall be lawful for any bank or trust company incorporated under the laws of this State which may act as depository of the proceeds of bonds or of revenues to furnish such indemnifying bonds or to pledge such securities as may be required by the corporation. Any trust agreement or resolution may set forth the rights and remedies of the bondholders and of the trustee, and may restrict the individual rights of action by bondholders. In addition to the foregoing, any trust agreement or resolution may contain such other provisions as the corporation may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of any trust agreement may be treated as a part of the cost of the operation of the project or projects.

Any pledge of tolls, rentals, sales receipts, other revenues, or moneys made by the corporation shall be valid and binding from the time the pledge is made. The tolls, rentals, sale receipts, other revenues, or moneys so pledged and thereafter received by the corporation, except that part of the tolls, rentals, sales receipts, other revenues, or moneys which are necessary to maintain the project or projects in good operating condition, or to pay the reasonable operating expenses of the corporation, or any judgment rendered against it, shall immediately be subject to the lien of the pledge without any physical delivery thereof or further act; and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the corporation, irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded except in the records of the corporation. If such trust agreement should be offered for record it shall be filed and recorded without the payment of the mortgage tax required by Article 2, Chapter 20, Title 51, Code of Alabama, 1940. The corporation may, at its discretion, enter into any supplement to such trust agreement, which supplement shall be governed, so far as may be, by the same provisions of this Act as are applicable to the trust agreement.

Section 11. Bonds issued by the corporation under the provisions of this Act are hereby made securities in which the State and all political subdivisions of this State, their officers, boards, commissions, departments, or other agencies, all banks, bankers, savings banks, trust companies, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees and other fiduciaries, and all other persons whatsoever who now are or may hereafter be authorized to invest in bonds or other obligations of the State, may properly and legally invest any funds including capital belonging to them or within their control. The bonds, or other securities or obligations, are hereby made securities which properly and legally may be deposited with, and received by, any State or municipal officer or agency of the State for any purpose for which the deposits of bonds or other obligations of the State is now or hereafter may be authorized by law.

Section 12. No bond or other obligation of such a corporation shall be deemed to be the obligation of or a claim against the State or a county thereof.

Section 13. All counties, cities, towns, and other political subdivisions, and all public departments, agencies, and commissions of the State of Alabama, notwithstanding any contrary provision of law, are hereby authorized and empowered to lease, lend, grant, or convey to the corporation at its request, upon such terms and conditions as the

proper authorities of such counties, cities, towns, political subdivisions, and departments, agencies, or commissions of the State may deem reasonable and fair, and without the necessity for any advertisement, order of court or other action or formality, other than the regular and formal action of the authorities concerned, any real property which may be necessary or convenient to the effectuation of the authorized purposes of the corporation, which real property may include public roads and other real property already devoted to public use.

Section 14. Before construction is started on any project, the corporation shall advertise for sealed bids once each week for three consecutive weeks in a newspaper of general circulation in the county in which the project or undertaking is to be located; the corporation may also advertise in such other publications as it may deem advisable. Such notices shall state that plans and specifications for the project are on file in the office of the corporation, and the time and place in which bids will be received and opened. All bids shall be opened publicly at the advertised time and place.

The contract shall be awarded to the lowest responsible bidder complying with the conditions of the invitation for bids, unless the corporation finds that his bid is unreasonable or that it is not to the interest of the corporation to accept it. The bidder to whom the award is made shall be notified by telegram or letter at the earliest possible date. Should the successful bidder fail or refuse to sign the contract or make bond, the corporation may award the contract to the second responsible bidder. Should the second lowest bidder fail or refuse to sign the contract or make bond, the authority may award the contract to the third lowest responsible bidder.

Should no bids be received at the time stated in the advertisement for bids, the corporation may advertise for and seek other competitive bids, or the corporation may direct that the work shall be done by negotiated contracts under its direction and control. If the corporation finds that all bids received are unreasonable and that it is not to the interest of the corporation to accept any of the bids the corporation may direct that the work shall be done by negotiated contracts under its direction and control. On any construction project which the corporation has determined to do by negotiated contract, the corporation shall file plans and specifications and an itemized estimate of cost with the Department of Examiners of Accounts, and upon completion of the project by the corporation, the final total cost, together with an itemized list of cost of any and all changes made in the original plans and specifications shall be submitted to the Department of Examiners of Public Accounts for its permanent record. Upon approval of the corporation, its duly authorized officer or officers may, when proceeding on the basis of negotiated contracts, let any subdivision or unit of work by contract on receiving sealed bids in accordance with this section. This section shall not apply to routine maintenance or repair jobs done by maintenance men who are regular employees of the corporation.

Section 15. Each project constructed or operated by such corporation shall be maintained and kept in good condition and repair.

Section 16. No officer of the corporation shall have any interest, directly or indirectly, in any contract awarded or to be awarded, or in the profit to be derived therefrom. The violation of this section shall constitute a misdemeanor, and upon conviction shall work a forfeiture of office, and shall be punishable by a fine not exceeding five hundred dollars (\$500), or by imprisonment in the county jail not exceeding six months, or both.



~~Section 17. The authorized agents and employees of the corporation~~ may enter upon any lands, waters, and premises in this State for the purpose of making surveys, soundings, drillings and examinations as it may deem necessary or convenient for the purposes of this Act, and such entry shall not be deemed a trespass, nor shall an entry for such purpose be deemed an entry under any condemnation proceedings which may be then pending. The corporation shall make reimbursement for any actual damages resulting to such lands, waters, and premises as a result of such activities.

Section 18. The exercise of the powers granted by this Act will be in all respects for the benefit of the people of the State, for the purpose of conserving natural resources, for the increase of commerce and prosperity and for the improvement of health and living conditions. Since the operation and maintenance of projects authorized by this Act will constitute the performance of essential functions, the bonds authorized by this Act and the income therefrom and all mortgages executed as security therefor, shall be exempt from all taxation in the State of Alabama.

Section 19. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 20. All laws or parts of laws which conflict with this Act are repealed.

Section 21. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 93; Nays 0.

**Yeas:**

Mr. Speaker	Edwards (Jefferson)	Kelly	Nolen
Adams	Faulk	Killough	Oakley
Albea	Ferrell	Kirkham	Oden
Ashworth	Franklin	Lackey	Payne
Bassett	Gist	Law	Pirkle
Boyd	Goodwyn	Lee (Barbour)	Pruitt
Bradford	Gregory	Lee (Lawrence)	Ramey
Brannan	Grouby	Locke (Choctaw)	Reynolds
Branyon	Hain	Locke (Perry)	Roberts
Brassell	Hall	Love	Selman
Brewer	Halton	McClendon	Shumate
Brown (Lamar)	Hanby	McKay	Simon
Brown (Lee)	Hardy	McLendon	Solomon
Burkhalter	Hare	McNider	Speaks
Callahan	Harrison	Martin	Steagall
Cornett	Harvey	Mathews	Stokes
Cox	Hawkins	Mathison	Summerlin
Davis	Hodges	Merrill	Taylor
Dawkins	Holliman	Molette	Thomas
deGraffenried	Huddleston	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	Windle
Dickson	Johnson (Tallapoosa)	Nice	Wood
Edwards (Escambia)			

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REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 1011. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

Also:

H. 1024. To alter or rearrange the boundary lines of the Town of Vestavia Hills, Alabama, so as to include within the corporate limits of said Town territory not already included therein.

Also:

H. 1025. To alter and extend the boundary lines and corporate limits of the City of Cordova in Walker County, Alabama.

Also:

H. 1026. To authorize and empower the sheriff of Wilcox County to appoint an additional deputy whose compensation shall be paid in part out of the general fund in the county treasury.

Also:

H. 1031. To create the office of Deputy Solicitor for Chilton County; to provide for his election, and the method of appointment in the event of a vacancy; to fix his salary and define his powers and duties; and to repeal all general and local laws in conflict herewith so far as they relate to Chilton County, Alabama.

Also:

H. 1032. To alter or rearrange the boundary lines of the Town of Ragland, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Also:

H. J. R. 85. Relative to the Legislature expressing sympathy to Representative H. James Hall and family on the death of his father.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, ~~signed the Bills and House Joint Resolution, the titles to which are~~ set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED  
MOTION ADOPTED

The motion of Mr. Harrison to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 336, was adopted.

And the bill:

S. 336. To amend Act No. 46, H. 36, approved April 7, 1955, which regulates the sale of eggs and provides for the inspection and grading thereof.

Was taken up.

Mr. Oden offered the following amendment to the bill, S. 336:

AN AMENDMENT TO S. B. 336

Strike out the word and figure "Section 1" appearing in the first line of the body of the bill and insert in lieu thereof the word and figure "Section 2". Also, strike out the second paragraph in the body of the bill and insert in lieu thereof the following:

"Section 2. SALE REQUIREMENTS. It shall be unlawful (a) for any dealer to offer for sale or sell any case of eggs, or partial case of eggs, without clearly imprinting thereon, or securely attaching thereto, a label on which there shall be plainly and legibly printed the name and address of the packer of said eggs, the grade and weight class to which the eggs contained therein conform, the date on which the eggs were graded. The label, together with the printed matter required to appear thereon shall be of a size to be prescribed by regulations adopted by the State Board of Agriculture and Industries. (b) For any dealer to offer for sale or sell eggs in any carton or other type of package without clearly designating thereon the name and address of the packers, or person responsible for such packing, the grade and weight class to which the eggs contained therein conform, together with the date on which the eggs were graded. Grade and weight class designations required on cartons or other packages shall be in letters of a size to be prescribed by regulations adopted by the State Board of Agriculture and Industries.

(c) For any dealer to offer for sale or sell eggs in bulk (not in cases, cartons, packages or other containers) from any open case, box, basket, crate or other receptacle holding such eggs in bulk without displaying conspicuously on every such receptacle a placard or heavy cardboard not smaller than seven inches by seven inches in size on which there shall be legibly and plainly printed the grade and weight class to which the eggs contained therein conform in letters not smaller than one inch in height; provided, however, any retail merchant who sells or offers for sale not more than 120 dozen eggs in any one week may sell or offer for sale such eggs without complying with the requirements hereof with respect to grade and weight class only if such retail merchants display conspicuously upon every receptacle holding eggs offered for sale in bulk a placard or heavy cardboard not smaller than seven inches by seven inches in size on which there shall be plainly printed the word "Farm Eggs" in letters not smaller than one inch in height, provided, further, all such eggs sold or offered for sale are purchased by such retail merchant directly from the producer thereof.

(d) For any dealer or other person to offer eggs for sale by means of any newspaper advertisement, circular, window displays, radio, television, or other form of advertising, when the price of eggs offered for sale is designated without plainly designating in such advertisements the grade and weight class to which the eggs so advertised and offered for sale, conform.

(e) For any dealer or other person to use the term "Alabama" in connection with the advertisement and sale of eggs not produced in this State.

(f) For any dealer or other person to use the word or words "fresh", "strictly fresh", "hennery eggs", "country", "locally produced", "day-old", "select", "guaranteed", "certified", or any other similar descriptive terms in connection with the advertising or sale of any eggs, unless such eggs meet the standard minimum requirements for consumer Grade A eggs or consumer Grade AA eggs as such grades are prescribed under the provisions of this Act.

(g) For any dealer or other person to sell or offer for sale eggs not fit for human food as such eggs are defined under grades and standards established by the State Board of Agriculture and Industries under the provisions of this Act.

(h) For any dealer to sell or offer for sale eggs unless the grade and weight class designation stated on the label, placard, sign, or advertisement correctly states the grade and weight class to which the eggs conform.

(i) For any dealer to sell or offer for sale eggs unless such dealer has a permit as required under Section 6 of this Act.

(j) For any dealer to sell or offer for sale eggs in violation of any rule or regulation adopted and promulgated under the provisions of this Act.

And the amendment was adopted.

Yeas 97; Nays 1.

#### Yeas:

Mr. Speaker	DeSear	Huddleston	Mathison
Adams	Dickson	Hunt	Meeks
Albea	Edwards (Escambia)	Jenkins	Merrill
Ashworth	Edwards (Jefferson)	Johnson (Tallapoosa)	Molette
Bassett	Faulk	Kaul	Money
Boyd	Ferrell	Kelly	Nettles
Bradford	Franklin	Kendall	Nice
Brannan	Gilchrist	Killough	Nolen
Branyon	Gist	Kirkham	Oakley
Brassell	Gregory	Lackey	Oden
Brewer	Grouby	Law	Payne
Broadfoot	Hain	Lee (Barbour)	Perry
Brown (Lamar)	Hall	Lee (Lawrence)	Pirkle
Brown (Lee)	Haltom	Locke (Choctaw)	Pruitt
Burkhalter	Hanby	Locke (Perry)	Ramey
Callahan	Hardy	Love	Reynolds
Cornett	Hare	McClendon	Richardson
Cox	Harrison	McKay	Roberts
Davis	Harvey	McLendon	Selman
Dawkins	Hawkins	McNider	Shumate
deGraffenried	Hodges	Martin	Solomon
Dement	Holliman	Mathews	Steagall

Stembridge	Taylor	Vacca	Windle
Stokes	Thomas	Ward	Wood
Summerlin			

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Nays: Mr. Goodwyn.

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And said bill, S. 336, as thus amended, was read a third time at length and passed.

Yeas 96; Nays 1.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Kaul	Nice
Adams	Edwards (Jefferson)	Kelly	Nolen
Albea	Faulk	Kendall	Oakley
Ashworth	Ferrell	Killough	Oden
Bassett	Franklin	Kirkham	Payne
Boyd	Gilchrist	Lackey	Perry
Bradford	Gist	Law	Pirkle
Brannan	Gregory	Lee (Barbour)	Pruitt
Branyon	Grouby	Lee (Lawrence)	Ramey
Brassell	Hain	Locke (Choctaw)	Reynolds
Brewer	Hall	Locke (Perry)	Richardson
Broadfoot	Haltom	Love	Selman
Brown (Lamar)	Hanby	McClendon	Shumate
Brown (Lee)	Hardy	McKay	Solomon
Burkhalter	Hare	McLendon	Speaks
Callahan	Harrison	McNider	Steagall
Cornett	Harvey	Martin	Stembridge
Cox	Hawkins	Mathews	Stokes
Davis	Hodges	Mathison	Summerlin
Dawkins	Holliman	Meeks	Taylor
deGraffenried	Huddleston	Merrill	Vacca
Dement	Hunt	Molette	Ward
DeSear	Jenkins	Money	Windle
Dickson	Johnson (Tallapoosa)	Nettles	Wood

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Nays: Mr. Goodwyn.

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**MOTION LOST**

The motion of Mr. Murphy to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 230, was lost.

Yeas 60; Nays 30.

**Yeas:**

Mr. Speaker	Davis	Haltom	Locke (Choctaw)
Adams	deGraffenried	Hanby	McClendon
Albea	Dement	Hare	McNider
Ashworth	Edwards (Escambia)	Harvey	Martin
Bradford	Ferrell	Hawkins	Mathews
Branyon	Franklin	Hodges	Mathison
Brassell	Gilchrist	Huddleston	Meeks
Broadfoot	Gist	Hunt	Merrill
Brown (Lamar)	Goodwyn	Johnson (Tallapoosa)	Money
Burkhalter	Gregory	Kelly	Murphy
Callahan	Grouby	Law	Nice
Cornett	Hall	Lee (Lawrence)	Oden

Reynolds	Shumate	Steagall	Tyson
Roberts	Simon	Stembridge	Vacca
Selman	Speaks	Stokes	Ward

—60

**Nays:**

Messrs.	Faulk	Lackey	Pirkle
Bassett	Hain	Locke (Perry)	Pruitt
Boyd	Hardy	McKay	Richardson
Brannan	Holliman	Molette	Solomon
Brown (Lee)	Kaul	Nettles	Summerlin
DeSear	Kendall	Nolen	Windle
Dickson	Killough	Oakley	Wood
Edwards (Jefferson)	Kirkham	Perry	

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**RESOLUTION**

The following resolution was introduced:

By Mr. Wood:

H. J. R. 97. WHEREAS, the Department of Conservation has extended to the members of the Legislature and to the State Department Heads and employees of the State a cordial invitation to an Open House given in honor of the members of the Legislature today, September 2, beginning at 5 P. M., and

WHEREAS, this occasion will be one of enjoyment and a worthy celebration of the final adjournment of the 1955 Regular Session of the Legislature,

BE IT RESOLVED by the House of Representatives, the Senate concurring, that if either House or both Houses are in session at 5:30 P. M., such House or Houses will then recess to meet again at 8:30 P. M., such recess to be taken for the purpose of allowing the members to attend said Open House at the Conservation Department.

The motion of Mr. Wood to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 97 was lost.

Yeas 57; Nays 30.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Killough	Pirkle
Adams	Edwards (Jefferson)	Lackey	Reynolds
Albea	Faulk	Law	Selman
Bassett	Ferrell	Lee (Lawrence)	Shumate
Boyd	Gist	Love	Simon
Bradford	Goodwyn	McLendon	Solomon
Branyon	Gregory	McNider	Steagall
Brassell	Grouby	Mathison	Stembridge
Brown (Lamar)	Hall	Merrill	Stokes
Burkhalter	Hare	Money	Summerlin
Cornett	Harvey	Murphy	Taylor
Cox	Hawkins	Nolen	Vacca
Crook	Jenkins	Oden	Ward
Davis	Kelly	Payne	Wood
Dement			

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**Nays:**

Messrs.	Haltom	Kendall	Perry
Brewer	Hanby	Kirkham	Pruitt
Brown (Lee)	Harrison	McKay	Richardson
Callahan	Hodges	Martin	Roberts
DeSear	Holliman	Meeks	Speaks
Franklin	Huddleston	Nettles	Tyson
Gilchrist	Hunt	Nice	Windle
Hain	Kaul	Oakley	

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And said resolution H. J. R. 97 was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 568. To amend Sections 207, Title 26, Code of Alabama 1940, as amended, the same relating to weekly benefit amount, and 208, Title 26, Code of Alabama 1940, the same relating to weekly benefit for unemployment, both relating to unemployment compensation.

Also:

H. 569. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

Also:

H. 570. To amend Section 292 of Title 26, Code of Alabama 1940, as amended, the same relating to the waiting period in temporary disability claims under the workmen's compensation law.

Also:

H. 571. To amend Section 194 of Title 26, Code of Alabama 1940, as amended, the same pertaining to the definition of a "Benefit Year."

Also:

H. 572. To amend Section 213 of Title 26, Code of Alabama 1940, as amended, the same relating to benefit eligibility conditions for unemployment compensation.

J. E. SPEIGHT,  
Secretary.

**CONSIDERATION OF H. 206**

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Was again taken up.

**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 960. To provide further for financing the operation of schools and educational institutions: authorizing the Alabama Public Schools Corporation created by Article 10, Chapter 10, Title 52, Code 1940, to borrow money on behalf of certain institutions and agencies, to issue notes or warrants in evidence thereof, to pay interest thereon, and to pledge the proceeds of current appropriations to secure the repayment thereof, in the same manner and subject to the same restrictions, conditions and limitations as such corporation is authorized to make loans for the public schools and pledge the proceeds of minimum program fund appropriations.

J. E. SPEIGHT,  
Secretary.

### SENATE MESSAGE

On motion of Mr. Hawkins the House concurred in and adopted the Senate substitute for the bill, H. 960, said Senate substitute being as follows:

### SUBSTITUTE FOR H. B. NO. 960

#### A BILL TO BE ENTITLED AN ACT

To provide for financing the operation of schools and educational institutions; to authorize the Alabama Public Schools Corporation, organization of which is provided for in Article 10, Chapter 10, Title 52, Alabama Code of 1940, to borrow money in behalf of certain state educational agencies and institutions and in evidence of the borrowing to sell and issue interest bearing notes or warrants payable solely out of the current appropriation from the Alabama State Educational Trust Fund to the agency or institution for which any such borrowing shall be made; to authorize said corporation to pledge for payment of any such note or warrant the proceeds of the current appropriation out of which such note or warrant is payable; to specify the priority in lien of any such notes and warrants; to specify the restrictions, conditions and limitations subject to which such notes and warrants may be issued and such pledges made; and to provide that such notes and warrants and the interest thereon shall be exempt from taxation in this state, and that such notes and warrants shall be eligible to secure deposits of state funds.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Alabama Public Schools Corporation, organization of which is provided for in Article 10 of Chapter 10 of Title 52 of the Code of Alabama of 1940, and which is herein referred to as "the corporation", is hereby authorized and empowered, during any fiscal year beginning with the fiscal year commencing October 1, 1955, to borrow money and to issue interest bearing notes or warrants in evidence of such borrowing, in behalf of any state agency or institution to which or for the use of which an appropriation from the Alabama Special Educational Trust Fund shall have been made for the then current fiscal year, in anticipation of the proceeds of such appropriation; provided, that any such note or warrant shall be issued only upon the request of the agency or institution in behalf of which such note or warrant shall be issued. Any such note or warrant shall have a stated maturity not later than the end of the fiscal year during which it is issued. The principal of and the interest on any note or warrant issued hereunder shall be payable solely from the proceeds of the appropriation in anticipation of which such note or warrant is issued and the corporation shall have the authority to pledge for payment of such



~~principal and interest the proceeds of such appropriation. The principal~~ of and interest on any note or warrant issued hereunder in any fiscal year shall constitute a prior lien on the appropriation from the Alabama Special Educational Trust Fund for the same fiscal year to or for the agency or institution in behalf of which such note or warrant was issued; and such liens shall take priority over each other in the order in which they are created. The total amount of the principal of any notes and warrants issued in anticipation of the appropriation from said fund to or for any such state agency or institution outstanding at any one time shall not exceed forty per centum of the total appropriation to or for that agency or institution from the Alabama Special Educational Trust Fund for the then current fiscal year; and the total principal of and interest on any notes or warrants issued by the corporation and outstanding at any one time in anticipation of the appropriation from said fund to or for any such agency or institution shall not exceed ninety per centum of the portion of such appropriation for the then current fiscal year that then remains unpaid. Any such notes and warrants may be sold by the corporation at public or private sale; the principal thereof and the interest thereon shall be exempt from all taxation in the State of Alabama; such notes and warrants shall be eligible as security for deposit of state funds; and they shall be signed in the name of the corporation by its president and attested by its secretary, who shall affix thereto the official seal of the corporation. The purchaser of any note or warrant issued hereunder must pay for securing any legal opinion desired by such purchaser. No note or warrant issued hereunder shall be a debt or obligation of the State of Alabama, nor shall the general faith and credit of the State of Alabama, be pledged to the payment of any such note or warrant. The holder of any note or warrant issued hereunder shall look for payment of the principal thereof and the interest thereon solely to the funds actually appropriated from the Alabama Special Educational Trust Fund to or for the use of the agency or institution in behalf of which such note or warrant is issued.

Section 2. All laws or parts of laws which conflict with this Act are to the extent of such conflict repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 95; Nays 0.

**Yeas:**

Mr. Speaker	Cox	Hain	Kendall
Adams	Crook	Hall	Killough
Albea	Dawkins	Haltom	Kirkham
Ashworth	deGraffenried	Hanby	Lackey
Bassett	Dement	Hardy	Law
Boyd	DeSear	Hare	Lee (Barbour)
Bradford	Dickson	Harrison	Lee (Lawrence)
Brannan	Edwards (Escambia)	Harvey	Locke (Choctaw)
Branyon	Edwards (Jefferson)	Hawkins	Locke (Perry)
Brassell	Faulk	Hodges	Love
Brewer	Ferrell	Holliman	McClendon
Broadfoot	Franklin	Huddleston	McKay
Brown (Lamar)	Gilchrist	Hunt	McLendon
Brown (Lee)	Gist	Jenkins	McNider
Burkhalter	Goodwyn	Johnson (Tallapoosa)	Martin
Callahan	Gregory	Kaul	Mathison
Cornett	Grouby	Kelly	Meeks

Merrill	Payne	Shumate	Taylor
Molette	Perry	Simon	Thomas
Money	Pirkle	Solomon	Tyson
Nettles	Pruitt	Speaks	Vacca
Nolen	Reynolds	Steagall	Windle
Oakley	Richardson	Stembridge	Wood
Oden	Selman	Stokes	

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## RECESS

The motion of Mr. Pruitt to recess for thirty minutes was adopted.

Yeas 58; Nays 27.

## Yeas:

Messrs.	Ferrell	Johnson (Elmore)	Nolen
Ashworth	Gilchrist	Johnson (Tallapoosa)	Oakley
Bassett	Goodwyn	Kendall	Payne
Boyd	Grouby	Kirkham	Perry
Bradford	Hain	Law	Pirkle
Brannan	Hall	Lee (Barbour)	Pruitt
Broadfoot	Haltom	Locke (Choctaw)	Richardson
Callahan	Hanby	Locke (Perry)	Roberts
Cornett	Hardy	McClendon	Selman
Cox	Hare	McKay	Solomon
Crook	Harrison	McLendon	Stokes
deGraffenried	Harvey	McNider	Thomas
DeSear	Holliman	Meeks	Vacca
Edwards (Jefferson)	Hunt	Murphy	Windle
Faulk	Jenkins	Nettles	

—58

## Nays:

Mr. Speaker	Dickson	Love	Speaks
Branyon	Edwards (Escambia)	Mathison	Steagall
Brassell	Franklin	Molette	Stembridge
Brown (Lamar)	Gist	Money	Taylor
Burkhalter	Gregory	Nice	Ward
Dawkins	Hawkins	Oden	Wood
Dement	Lee (Lawrence)	Simon	

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The House reconvened. The Speaker called the House to order.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 574. To amend Section 279, Title 26, Code of Alabama 1940, as amended, which deals with the schedule of compensation under the Workmen's Compensation Law.

Also:

H. 575. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 573. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 576. To amend Act No. 689 of the 1947 Legislature, entitled: "An Act to establish a special Trust Fund to be known as the Second Injury Trust Fund for the use and benefit of employees who suffer certain second injuries in the nature of permanent total disability, to require employers to pay into said Second Injury Trust Fund a lump sum certain upon the death of an employee covered by the Workmen's Compensation Law when there is no person entitled to workmen's compensation, to provide for the escheat to said Second Injury Trust Fund of judgments under the Employer's Liability Act if there is no person to whom the judgment may be paid, to authorize the Director of Industrial Relations to act as Trustee for said Fund, to authorize the State Treasury to act as Custodian of said Fund with power of investment and reinvestment of monies paid into said Fund, to authorize payments to be made therefrom for compensation for certain second injuries, and to provide a method for adjudicating claims made against the Trustee of said Fund."

J. E. SPEIGHT,  
Secretary.

## RESOLUTION

The following resolution was introduced:

By Mr. Wood:

H. J. R. 98. WHEREAS, the Department of Conservation has extended to the members of the Legislature and to the State Department Heads and employees of the State a cordial invitation to an Open House given in honor of the members of the Legislature today, September 2, beginning at 5 P. M., and

WHEREAS, this occasion will be one of enjoyment and a worthy celebration of the final adjournment of the 1955 Regular Session of the Legislature,

BE IT RESOLVED by the House of Representatives, the Senate concurring, that if either House or both Houses are in session at 5:30 P. M., such House or Houses will then recess to meet again at 8:30 P. M., such recess to be taken for the purpose of allowing the members to attend said Open House at the Conservation Department.

The motion of Mr. Wood to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 98 was lost.

Yeas 35; Nays 39.

**Yeas:**

Messrs.	Dement	Locke (Choctaw)	Reynolds
Bassett	Gist	Locke (Perry)	Selman
Bradford	Gregory	Love	Shumate
Brassell	Grouby	McNider	Simon
Broadfoot	Harvey	Mathison	Speaks
Brown (Lamar)	Kelly	Molette	Steagall
Burkhalter	Killough	Money	Taylor
Cox	Lackey	Murphy	Thomas
Davis	Lee (Lawrence)	Oden	Wood

—35

**Nays:**

Messrs.	Faulk	Hunt	Oakley
Boyd	Gilchrist	Kaul	Payne
Brewer	Goodwyn	Kendall	Perry
Brown (Lee)	Hain	Kirkham	Pruitt
Callahan	Haltom	Law	Richardson
Cornett	Hanby	McKay	Roberts
Crook	Hardy	McLendon	Summerlin
deGraffenried	Harrison	Merrill	Tyson
DeSear	Hodges	Nettles	Vacca
Edwards (Jefferson)	Holliman	Nolen	Windle

—39

And said resolution H. J. R. 98 was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 578. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations on compensation under the workmen's compensation law.

Also:

H. 577. To amend Section 309 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' rights to insure risks under the Workmen's Compensation Law.

**J. E. SPEIGHT,**  
Secretary.

**REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 59. Relating to civil remedies and procedure: to provide further for venue in actions on policies or certificates of insurance, prohibiting the registration of trucks, semi-trailer trucks, road tractors, or

Also:

H. 355. To regulate further the registration of certain motor vehicles:

other like motor vehicles used for hire or for commercial purposes ~~which are owned by non-residents except as otherwise provided in~~ Section 707 of Title 51, of the 1940 Code; requiring every person, firm, or corporation who applies for the registration of a truck, semi-trailer truck, or road tractor, or other like motor vehicle used for hire or commercial purposes to state under oath his name and address, and whether the vehicle is owned by a resident or by a non-resident; and making it a misdemeanor for any person to make a false statement in applying for the registration of a motor vehicle pursuant to this Act.

Also:

H. 375. Authorizing any gas district now or hereafter organized in this state under the provisions of Act No. 762, adopted at the 1951 Regular Session of the Legislature of Alabama, to promulgate rules and regulations governing and relating to the installation, connection, maintenance and servicing of gas fixtures, pipes, appliances and equipment with respect to properties served by it and requiring that any person so installing, connecting, maintaining or servicing any such fixtures, pipes, appliances and equipment be licensed by it, specifying the manner of adoption of such rules and regulations, and providing that no such rules or regulations shall supersede any applicable rules or regulations established by any municipality in this state.

Also:

H. 550. To authorize each county in this state to sell and issue from time to time interest bearing warrants or certificates of indebtedness for the purpose of acquiring and providing county airports; providing that such warrants and certificates shall evince general obligation indebtedness of the county; authorizing each county to pledge and use for payment of the principal of and interest on such warrants and certificates so much as may be necessary for such purpose of the proceeds of any county privilege, license or excise tax now or hereafter levied in whole or in part for the construction, maintenance, and operation of county airports; specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

Also:

H. 584. To provide for and authorize for any municipality in the State the incorporation of a board, as a public corporation, for the purpose of acquiring, owning, leasing, equipping, improving, maintaining, and enlarging a medical clinic within the municipality; to provide for the powers, authority, and duties of such board; to authorize each such board to borrow money and issue revenue bonds, payable solely from the rentals and other revenues derived from the medical clinic or its facilities financed by such bond issue; to authorize the board to pledge its rentals and other revenues for the payment of such bonds; to regulate the issuance, sale, and refunding of such bonds and other matters in connection therewith; to exempt from taxation the properties acquired under authority of this Act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor, and lease agreements made hereunder, and all documents executed by or delivered to any corporation organized hereunder; to provide that the bonds issued by such boards shall be legal investments for savings banks and insurance companies organized under the laws of Alabama; and to prescribe the purposes for which the proceeds derived from the sale of such bonds may be used.

Also:

H. 806. To amend further Section 380 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of clerks of juvenile courts in **certain counties**.

Also:

H. 963. To apply only in counties in the State which have a population of 400,000 or more inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be authorized; To provide that the election precincts of the county as now established shall so remain until changed and the Board of Registrars by and with the approval of the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county; to provide that the board of registrars and the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center designated by the governing body of the county; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

Also:

H. 568. To amend Sections 207, Title 26, Code of Alabama 1940, as amended, the same relating to weekly benefit amount, and 208, Title 26, Code of Alabama 1940, the same relating to weekly benefit for unemployment, both relating to unemployment compensation.

Also:

H. 572. To amend Section 213 of Title 26, Code of Alabama 1940, as amended, the same relating to benefit eligibility conditions for unemployment compensation.

Also:

H. 569. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

Also:

H. 570. To amend Section 292 of Title 26, Code of Alabama 1940, as amended, the same relating to the waiting period in temporary disability claims under the workmen's compensation law.

Also:

H. 571. To amend Section 194 of Title 26, Code of Alabama 1940, as amended, the same pertaining to the definition of a "Benefit Year."

Also:

H. 969. To establish an inferior court of record to be called the Bessemer Civil and Criminal Court; to define the jurisdiction and power of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said

Court; to fix the terms or tenure of office of the officers of said Court ~~and provide for their salaries and compensation and the method of payment of same;~~ to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same; and to otherwise provide for said Court. Said Court to be created in the precinct or precincts lying within or partly within the City of Bessemer, Jefferson County, Alabama. Said Court to be created in lieu of all Justices of the Peace and Notary Public ex-officio Justices of the Peace in said precinct or precincts.

Also:

H. J. R. 89. Relative to naming House Bill 17.

Also:

H. J. R. 90. Relative to congratulating Representative George C. Hawkins upon his being elected a Fellow in the International Academy of Trial Lawyers.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 359. To Extend and Enlarge the Boundaries of the Corporate Limits of the City of Cullman, Alabama.

Also:

S. 363. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

S. 364. To alter or rearrange the boundary lines of the City of Montgomery, Alabama, so as to include within the corporate limits of said City territory not already included therein.

Also:

S. 366. To abolish the office of deputy solicitor in St. Clair County, and to create in lieu thereof the office of county solicitor of St. Clair County; to fix the qualifications of the county solicitor; to provide for his election, term of office, and the method of appointment in the event

of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

Also:

S. 372. To amend Section 1 of Act No. 11 approved May 19, 1945 as amended by Act No. 274 approved August 8, 1947, as amended by Act No. 160 approved June 29, 1951, Entitled an Act: "To fix the compensation, salaries and allowances to be paid the Sheriff of Houston County, Alabama, to regulate the office of said Sheriff and to provide for deputies and other assistants to said Sheriff and the selection and appointment thereof, and the manner of fixing their compensation and to provide for paying the same, to provide for the Board of Revenue to authorize additional deputies in an emergency and upon the request of the Sheriff and to fix their compensation and to provide for the payment of premiums of the bonds of the Sheriff and deputies and to authorize and empower and require the Board of Revenue of Houston County, or other body of like jurisdiction to provide and furnish the said Sheriff with necessary quarters, books, stationery, and other necessities and conveniences to said Sheriff of Houston County, to prohibit rebates of compensation allowed for deputies, clerical assistants and other expenses in said office and to provide the punishment therefor, and to prescribe when this act shall go into effect."

J. E. SPEIGHT,  
Secretary.

#### SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 85. Expressing appreciation of the members of the Legislature to the staff of Legislative Reference Service for their valuable assistance during the 1955 regular session.

S. J. R. 86. Expressing appreciation of Legislature to authorities and citizens of the City of Montgomery, other civic organizations for the courtesies and hospitality accorded them during the Legislative Session.

S. J. R. 89. Expressing appreciation of the expert advice and assistance rendered the Legislature by Raymond Fowler of State Retirement Systems.

J. E. SPEIGHT,  
Secretary.

#### SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum



present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

#### COMMITTEE APPOINTED

In accordance with the provisions of S. J. R. 68, the Speaker of the House appointed as a Committee on part of the House Messrs. Hanby, Wood and Oden.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 579. To amend Section 214 of Title 26, Code of Alabama 1940, as amended, the same relating to disqualification for unemployment compensation benefits.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 92. Relative to binding the Acts and Journals of previous special sessions with the Regular Session, 1955.

Also:

H. J. R. 93. Relieving Secretary of Senate, Clerk of the House and Doorkeepers of the responsibility of the Codes furnished members of the Legislature.

J. E. SPEIGHT,  
Secretary.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1013. To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

Also:

H. 1014. To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

Also:

H. 1015. To amend further Sections 1 and 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which

placed the judge of probate of Morgan County, Alabama, on a salary, provided clerical assistance, office supplies and equipment for his office, and prescribed certain duties of the probate judge.

Also:

H. 1016. To amend Section 1 of Act No. 68, H. 263, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 51), which provided for the appointment of a deputy register for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy register.

Also:

H. 1017. To amend Act No. 436, H. 938, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the county superintendent of education of Morgan County, Alabama.

Also:

H. 1018. For the relief of James Maxwell of Morgan County: Authorizing and directing the court of county commissioners, board of revenue, or like county governing body of Morgan County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of Seven Hundred Fifty Dollars (\$750.00) to compensate James Maxwell for personal injuries suffered by him while acting within the line and scope of his employment with the county, leaving him permanently partially disabled.

Also:

H. 1019. To amend Sections 1 and 2 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, p. 789), which fixed the compensation of the chairman and members of the Board of Revenue and Control of Morgan County.

Also:

H. 1020. Relating to Morgan County; fixing the compensation of the chief deputy of the sheriff of Morgan County, Alabama.

Also:

H. 1021. To amend Section 1 of Act No. 64, H. 259, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 45), which provided for the appointment of a deputy clerk for the circuit court of Morgan County and the Morgan County Court of Morgan County, and prescribed the duties and fixed the compensation of the deputy clerk.

Also:

H. 1022. To amend Section 1 of Act No. 424, H. 868, approved August 27, 1953 (Acts of Alabama, 1953, p. 525), which authorized the Board of Revenue and Control of Morgan County, Alabama, to provide the sheriff of the county with deputies and jailers and to fix their compensation.

Also:

H. 1023. To amend Section 17 of an Act, approved July 7, 1947, entitled "An Act to amend an Act approved September 24, 1919 entitled 'An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing

rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court' as last amended."; and to provide that this Act shall be retroactive.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 573. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

Also:

H. 574. To amend Section 279, Title 26, Code of Alabama 1940, as amended, which deals with the schedule of compensation under the Workmen's Compensation Law.

Also:

H. 575. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

Also:

H. 576. To amend Act No. 689 of the 1947 Legislature, entitled: "An Act to establish a special Trust Fund to be known as the Second Injury Trust Fund for the use and benefit of employees who suffer certain second injuries in the nature of permanent total disability, to require employers to pay into said Second Injury Trust Fund a lump sum certain upon the death of an employee covered by the Workmen's Compensation Law when there is no person entitled to workmen's compensation, to provide for the escheat to said Second Injury Trust Fund of judgments under the Employer's Liability Act if there is no person to whom the judgment may be paid, to authorize the Director of Industrial Relations to act as Trustee for said Fund, to authorize the State Treasury to act as Custodian of said Fund with power of investment and reinvestment of monies paid into said Fund, to authorize payments to be made therefrom for compensation for certain second injuries, and to provide a method for adjudicating claims made against the Trustee of said Fund."

Also:

H. 577. To amend Section 309 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' rights to insure risks under the Workmen's Compensation Law.

Also:

H. 578. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations on compensation under the workmen's compensation law.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 95. Expressing appreciation of the Legislature to the Brown Printing Company and Mr. Herbert Nation, Executive Vice-President.

J. E. SPEIGHT,  
Secretary.

#### CONFERENCE COMMITTEE REPORT ON H. B. 206

We, your Conference Committee, appointed on the disagreement of the two houses on the Senate Substitute for H. B. 206 beg leave to report as follows:

We recommend that the Senate recede from its Substitute and that the following Substitute for H. B. 206 be adopted by both houses.

#### CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 206

##### A BILL TO BE ENTITLED AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

#### BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries, equipment purchases and additions and betterments and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs and items of general expense not defined as "equipment purchases", and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items

~~of office equipment motor vehicle equipment and other equipment~~  
 which has an appreciable and calculable period of usefulness in excess of one year, and the money appropriated therefor shall be expended only for such purposes; (d) "additions and betterments" shall mean lands and buildings and the construction and alteration of structures and improvements thereto, improvements to land, sewer, water, shelter, support, storage, protection or the improvement of a natural condition, and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1956 and September 30, 1957, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor.

#### FROM THE GENERAL FUND

##### I. EXECUTIVE:

###### The Governor's Office:

For the salary of the Governor .....	\$ 12,000.00	
For the salary of the Legal Counsel .....	9,000.00	
For other salaries .....	75,700.00	
For other expenses .....	16,650.00	
<b>Total .....</b>		<b>113,350.00</b>
For the Governor's Emergency Fund—To be expended at the direction of the Governor .....		100,000.00
For the Mansion Fund .....		60,000.00

##### II. LEGISLATIVE:

For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses for the fiscal year ending September 30, 1956, and for the salaries and expenses of the Legislature for extraordinary sessions .....	300,000.00	
For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for any expenses for any legislative ses- sions for the fiscal year ending Septem- ber 30, 1957 .....	1,000,000.00	
For printing of Legislative Acts and Jour- nals for the fiscal year ending Septem- ber 30, 1956, estimated .....	75,000.00	

##### III. JUDICIAL:

###### (1) THE SUPREME COURT:

For the salaries of the Chief Justice and six Associate Justices .....	84,000.00
For the salary of the Clerk of the Court .....	6,000.00
For the salary of the Court Reporter.....	6,000.00

For other salaries .....	88,080.00	
For other expenses .....	13,540.00	
For equipment purchases .....	6,000.00	
<b>Total</b> .....		203,620.00
For the Supreme Court Library Fund.....		10,000.00
For cataloging the Supreme Court Library .....		7,500.00
<b>(2) THE COURT OF APPEALS:</b>		
For salaries of the three judges.....	34,500.00	
For other salaries .....	31,200.00	
For other expenses .....	4,162.50	
For equipment purchases .....	500.00	
<b>Total</b> .....		70,362.50
<b>(3) THE CIRCUIT COURTS:</b>		
For the salaries of the judges of the Circuit Courts, estimated .....		484,500.00
For travel expenses of circuit judges.....		7,500.00
For telephone service, stationery, stamps, and necessary equipment for the office use of circuit judges .....		10,000.00
For the salaries and travel expenses of special judges, estimated .....		4,000.00
For salaries of thirty-three circuit solicitors .....	231,000.00	
For salary of the elected deputy circuit solicitor of the Bessemer Division of the 10th Judicial Circuit.....	6,000.00	
For the salary of the appointed assistant deputy solicitor of the Bessemer Division of the 10th Judicial Circuit .....	3,600.00	
For the salary of the first deputy solicitor of the Birmingham Division of the 10th Judicial Circuit.....	5,700.00	
For the salaries of the second and third deputy solicitors of the Birmingham Division of the 10th Judicial Circuit .....	10,000.00	
For the salaries of the fourth, fifth and sixth deputy solicitors of the Birmingham Division of the 10th Judicial Circuit; \$4,000.00 each .....	12,000.00	
For the salary of the deputy circuit solicitor of the 6th Judicial Circuit.....	4,500.00	
For the salaries of the deputy circuit solicitors of the 13th Judicial Circuit.....	10,800.00	
For the salary of the deputy circuit solicitor of the 15th Judicial Circuit .....	7,800.00	
For the salary of the deputy circuit solicitors of the 16th Judicial Circuit .....	6,000.00	
For the salary of the deputy circuit solicitor of the 23rd Judicial Circuit .....	4,200.00	
<b>Total</b> .....		309,200.00

For the travel expenses of circuit solicitors .....	6,000.00
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For telephone service, stationery, stamps, and necessary equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants .....	20,000.00
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For salary of supernumerary circuit solicitors, estimated .....	8,000.00
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## (4) COURT REPORTERS:

For the compensation of the circuit court reporters, estimated .....	87,600.00
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## (5) SUPERNUMERARY JUDGES:

For salaries of supernumerary judges, estimated .....	40,000.00
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## (6) SUPERNUMERARY JUSTICES:

For expenses of supernumerary Justices of Supreme Court .....	3,600.00
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## IV. CONSTITUTIONAL OFFICES:

## (1) OFFICE OF THE ATTORNEY GENERAL:

For the fiscal year ending September 30, 1956:

For the salary of the Attorney General .....	10,000.00
For other salaries .....	151,900.00
For other expenses .....	33,100.00
For equipment purchases .....	3,550.00

Total .....	198,550.00
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For the fiscal year ending September 30, 1957:

For the salary of the Attorney General .....	10,000.00
For other salaries .....	151,900.00
For other expenses .....	33,100.00
For equipment purchases .....	2,750.00

Total .....	197,750.00
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## (2) OFFICE OF THE STATE AUDITOR:

For the salary of the State Auditor .....	6,000.00
For other salaries .....	26,250.00
For other expenses .....	2,250.00
For equipment purchases .....	500.00

Total .....	35,000.00
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## (3) OFFICE OF THE SECRETARY OF STATE:

For the salary of the Secretary of State .....	6,000.00
For other salaries .....	22,000.00
For other expenses .....	6,000.00

For equipment purchases .....	1,000.00	
Total .....		35,000.00

## (4) OFFICE OF THE STATE TREASURER:

For the fiscal year ending September 30, 1956:		
For the salary of the State Treasurer.....	6,000.00	
For other salaries .....	66,826.00	
For other expenses and compensation of fiscal agents .....	19,450.00	
For equipment purchases .....	12,724.00	
Total .....		105,000.00
For the fiscal year ending September 30, 1957:		
For the salary of the State Treasurer .....	6,000.00	
For other salaries .....	67,836.00	
For other expenses and compensation of fiscal agents .....	19,664.00	
For equipment purchases .....	500.00	
Total .....		94,000.00

## V. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:

## (1) DEPARTMENT OF ARCHIVES AND HISTORY:

For the salary of the Director .....	7,500.00	
For other salaries .....	50,500.00	
For other expenses .....	8,000.00	
For equipment purchases .....	1,000.00	
For expenses of publication of the Alabama Historical Quarterly .....	3,000.00	
Total .....		70,000.00
For expenses of printing Statistical Register for the fiscal year ending September 30, 1956 .....		5,000.00

## (1-A) PUBLIC LIBRARY SERVICE DIVISION:

For salaries .....	35,000.00	
For other expenses .....	11,000.00	
For books and pamphlets .....	67,000.00	
For equipment purchases .....	2,000.00	
Total .....		115,000.00

## (2) BUILDING COMMISSION:

For salaries, other expenses and equipment purchases (For expenditure pursuant to Act No. 128, 1945 Regular Session, as amended) .....	50,000.00
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## (3) DEPARTMENT OF CIVIL DEFENSE:

For the salary of the Director .....	7,500.00
For other salaries .....	21,500.00
For other expenses .....	10,000.00



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For equipment purchases .....	1,000.00	
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Total .....		10,000.00
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For salaries, other expenses and equipment purchases, conditional upon the condition of the treasury and with the approval of the Governor...		10,000.00
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## (4) DEPARTMENT OF COMMERCE:

For the salary of the Director .....	10,000.00	
For other salaries .....	102,000.00	
For other expenses .....	35,000.00	
For equipment purchases .....	3,000.00	

Total .....		150,000.00
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## (5) DEPARTMENT OF EXAMINER OF PUBLIC ACCOUNTS:

For the fiscal year ending September 30, 1956:

For the salary of the Chief Examiner ...	10,000.00	
For other salaries .....	383,000.00	
For other expenses .....	160,000.00	
For equipment purchases .....	3,000.00	

Total .....		556,000.00
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For the fiscal year ending September 30, 1957:

For the salary of the Chief Examiner ...	10,000.00	
For other salaries .....	385,000.00	
For other expenses .....	160,000.00	
For equipment purchases .....	5,000.00	

Total .....		560,000.00
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## (6) DEPARTMENT OF FINANCE:

## Director's Office:

For the salary of the Director .....	10,000.00	
For other salaries .....	21,300.00	
For other expenses .....	6,937.50	
For equipment purchases .....	6,600.00	

Total .....		44,837.50
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## Division of the Budget:

For salaries .....	28,716.00	
For other expenses .....	5,000.00	
For equipment purchases .....	4,000.00	

Total .....		37,716.00
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## Division of Control and Accounts:

For salaries .....	98,628.00	
For other expenses .....	39,543.00	
For equipment purchases .....	3,500.00	

Total .....		141,671.00
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**Legal Division:**

For salaries, other expenses and equipment purchases .....	15,470.00
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**Division of Purchases and Stores:**

For salaries .....	61,624.00
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For other expenses .....	9,000.00
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For equipment purchases .....	1,000.00
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<b>Total</b> .....	<b>71,624.00</b>
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**Division of Service:**

For salaries .....	187,000.00
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For other expenses .....	153,000.00
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For equipment purchases .....	10,000.00
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<b>Total</b> .....	<b>350,000.00</b>
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For equipment purchases in the State	
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Offices for the Executive, Administrative and Judicial Departments..	10,000.00
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<b>Total</b> .....	<b>671,318.50</b>
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**(7) DEPARTMENT OF HEALTH:****(a) For General Health Work:**

For the salary of the State Health Officer .....	10,000.00
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For other salaries .....	475,000.00
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For other expenses .....	115,000.00
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<b>Total</b> .....	<b>600,000.00</b>
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<b>(b) For study and treatment of cancer..</b>	<b>125,000.00</b>
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<b>(c) For contributions to County Health Units .....</b>	<b>375,000.00</b>
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**(d) For Hospital Planning:**

For salaries .....	22,000.00
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For other expenses .....	4,000.00
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<b>Total</b> .....	<b>26,000.00</b>
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**(e) For Mental Hygiene:**

For salaries .....	16,800.00
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For other expenses .....	13,200.00
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<b>Total</b> .....	<b>30,000.00</b>
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**(f) For Mental Health:**

For Mental Health Clinic for north-east Alabama located in Etowah County .....	7,000.00
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University of Alabama Medical School for instruction in clinical psychology and psychiatry..	18,000.00
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**(g) For Pollution Control:**

For salaries .....	32,500.00
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For other expenses .....	14,900.00
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<del>For equipment purchases .....</del>		<del>8,600.00</del>
Total .....		50,000.00
(h) For the Administration of Tuberculosis Hospitals:		
For salaries .....	14,000.00	
For other expenses .....	8,500.00	
Total .....		22,500.00
(i) For subsidy to counties for treatment of tuberculosis .....		1,971,000.00
(j) For Tuberculosis Testing:		
For salaries .....	37,500.00	
For other expenses .....	32,500.00	
For equipment purchases .....	30,000.00	
Total .....		100,000.00
(k ) For Venereal Disease Control:		
For salaries .....	30,000.00	
For other expenses .....	20,000.00	
Total .....		50,000.00
Total .....		3,374,500.00
(8) INDUSTRIAL DEVELOPMENT BOARD:		
For salary of Director .....	10,000.00	
For salaries .....	102,980.00	
For other expenses .....	30,600.00	
For equipment purchases .....	22,500.00	
Total .....		166,080.00
(9) DEPARTMENT OF INDUSTRIAL RELATIONS:		
For salaries .....	115,000.00	
For other expenses .....	34,500.00	
For equipment purchases .....	500.00	
Total .....		150,000.00
(10) DEPARTMENT OF INSURANCE:		
For the fiscal year ending September 30, 1956:		
For the salary of the Director .....	7,500.00	
For other salaries .....	98,788.00	
For other expenses .....	51,400.00	
For equipment purchases .....	6,880.00	
Total .....		164,568.00
For the fiscal year ending September 30, 1957:		

For the Salary of Director .....	7,500.00	
For other salaries .....	111,360.00	
For other expenses .....	53,300.00	
For equipment purchases .....	4,600.00	
Total .....		176,760.00

## (11) STATE LABOR DEPARTMENT:

For the fiscal year ending September  
30, 1956:

For the salary of the Director .....	9,000.00	
For other salaries .....	30,428.00	
For other expenses .....	13,612.00	
For equipment purchases .....	1,960.00	
Total .....		55,000.00

For the fiscal year ending September  
30, 1957:

For the salary of the Director .....	9,000.00	
For other salaries .....	30,428.00	
For other expenses .....	13,072.00	
For equipment purchases .....	2,500.00	
Total .....		55,000.00

## (12) LEGISLATIVE REFERENCE SERVICE:

For the fiscal year ending September  
30, 1956:

For the salary of the Director .....	9,000.00	
For other salaries .....	32,304.00	
For other expenses .....	3,996.00	
For equipment purchases .....	1,200.00	
Total .....		46,500.00

For the fiscal year ending September  
30, 1957:

For the salary of the Director .....	9,000.00	
For other salaries .....	33,004.00	
For other expenses .....	3,996.00	
For equipment purchases .....	500.00	
Total .....		46,500.00
For Legislative Council .....		3,100.00

## (13) MILITARY DEPARTMENT:

For the salary of the Adjutant General..	7,500.00	
For other salaries .....	194,600.00	
For other expenses .....	40,000.00	
For equipment purchases .....	20,000.00	
For Quarterly Allowances .....	211,200.00	
For transfer to the Armory Commission for care and maintenance of ar- mories .....	300,000.00	

<del>For Active Military Service .....</del>	<del>65,000.00</del>	
Total .....		838,300.00
For other expenses conditional upon the condition of the treasury and with the approval of the Governor...	10,000.00	
For equipment purchases, conditional upon the condition of the treasury and with the approval of the Governor .....	10,000.00	
For Active Military Service of Federally recognized National Guard officers and enlisted men, conditional upon the condition of the treasury and with the approval of the Governor .....	10,000.00	
For Active Military Service for approved training projects, conditional upon the condition of the treasury and approval of the Governor .....	95,000.00	
Total Conditional .....		125,000.00

## (14) PERSONNEL DEPARTMENT:

For transfer to the Personnel Department:		
For the fiscal year ending September 30, 1956 .....		18,117.00
For the fiscal year ending September 30, 1957 .....		18,611.00

## (15) DEPARTMENT OF PUBLIC SAFETY:

For the fiscal year ending September 30, 1956:		
For the salary of the Director .....	10,000.00	
For other salaries .....	1,850,000.00	
For other expenses .....	684,750.00	
For equipment purchases .....	150,000.00	
Total .....		2,694,750.00
For the fiscal year ending September 30, 1957:		
For the salary of the Director .....	10,000.00	
For other salaries .....	1,875,000.00	
For other expenses .....	684,750.00	
For equipment purchases .....	150,000.00	
Total .....		2,719,750.00

## (16) DEPARTMENT OF PUBLIC WELFARE:

For transfer to Department of Public Welfare for the support, maintenance and operation of the functions of Public Welfare .....		3,700,000.00
For transfer to Department of Public Welfare for the support, main-		

ance and operation of the functions of Public Welfare conditional upon the condition of the treasury and with the approval of the Governor...	3,000,000.00
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For research and indigent care in nutritional and related subjects at Spies Clinic, located at Birmingham, Alabama, conditional upon the condition of the treasury and with the approval of the Governor...	100,000.00
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It is provided that not more than twenty-seven and one-half percentum of the appropriations hereinabove made shall be allotted in any one quarter of a fiscal year.

(17) BUREAU OF PUBLICITY AND INFORMATION:

For salaries .....	14,520.00	
For other expenses .....	14,400.00	
For equipment purchases .....	5,000.00	
For tourist advertising .....	50,000.00	
Total .....		83,920.00

(18) STATE PLANNING BOARD:

For salaries .....	33,000.00	
For other expenses .....	17,000.00	
Total .....		50,000.00

(19) DEPARTMENT OF REVENUE:

For salaries, operation and maintenance expense:		
For the fiscal year ending September 30, 1956 .....		315,738.00
For the fiscal year ending September 30, 1957 .....		322,200.00
For expenses incident to the Equalization Boards:		
For the fiscal year ending September 30, 1956 .....		322,000.00
For the fiscal year ending September 30, 1957 .....		347,000.00

(20) STATE BOARD OF ADJUSTMENT:

For expenditures by the Board payable from General Fund for the General Fund contribution to the total expenditure of \$150,000.00 pursuant to Title 55, Section 343 .....	10,000.00
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**(21) STATE SECURITIES COMMISSION:**

For the fiscal year ending September 30, 1956:		
For salaries .....	11,064.00	
For other expenses .....	740.00	
Total .....		11,804.00
For the fiscal year ending September 30, 1957:		
For salaries .....	12,264.00	
For other expenses .....	740.00	
Total .....		13,004.00

**(22) SOCIAL SECURITY:**

For the fiscal year ending September 30, 1956:		
Administrative:		
For salaries .....	14,436.00	
For other expenses .....	5,775.00	
Total .....		20,211.00
For the fiscal year ending September 30, 1957:		
Administrative:		
For salaries .....	14,772.00	
For other expenses .....	4,885.00	
Total .....		19,757.00

**(23) STATE TOXICOLOGIST:**

For the fiscal year ending September 30, 1956:		
For the salary of the State Toxicologist..	7,500.00	
For other salaries .....	79,686.00	
For other expenses .....	28,458.00	
For equipment purchases .....	24,366.00	
Total .....		140,000.00
For the fiscal year ending September 30, 1957:		
For the salary of the State Toxicologist..	7,500.00	
For other salaries .....	80,878.00	
For other expenses .....	28,683.00	
For equipment purchases .....	11,300.00	
Total .....		128,361.00

**(24) DEPARTMENT OF VETERANS' AFFAIRS:**

For the fiscal year ending September 30, 1956:		
For salary of the Service Commissioner .....	7,500.00	
For other salaries .....	326,962.00	
For other expenses .....	36,350.00	

For equipment purchases .....	7,500.00	
For contract with Veterans of Foreign Wars Organizations .....	20,000.00	
For contract with Disabled American Veterans Organizations .....	5,000.00	
Total .....		403,312.00
For the fiscal year ending September 30, 1957:		
For salary of the Service Commissioner .....	7,500.00	
For other salaries .....	345,886.00	
For other expenses .....	37,400.00	
For equipment purchases .....	6,500.00	
For contract with Veterans of Foreign Wars Organizations .....	20,000.00	
For contract with Disabled American Veterans Organizations .....	5,000.00	
Total .....		422,286.00

# VI. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES:

## (1) DEPARTMENT OF CONSERVATION:

### (a) State Parks Fund:

For salaries and other expenses incident to the operation and maintenance of State Parks, and the Division of State Parks, Monuments and Historical Sites and for administration of Department of Conservation .....	86,810.00
For salaries and other expenses incident to the operation and maintenance of State Parks, and the Division of State Parks, Monuments and Historical Sites and for administration of Department of Conservation conditional upon the condition of the treasury and with the approval of the Governor.....	200,000.00

### (b) State Lands Fund:

For salaries and other expenses incident to the operation of the Division of State Lands .....	25,000.00
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### (c) Forestry Fund:

For salaries and other expenses incident to the operation of the Division of Forestry and for the administration of Department of Conservation .....	250,000.00
For salaries and other expenses incident to the operation of the Division of Forestry and for the administration of Department of Conservation, condi-	



tional upon the condition of  
the treasury and with the ap-  
proval of the Governor .....

200,000.00

## (2) GEOLOGICAL SURVEY:

For the fiscal year ending September  
30, 1956:

For the salary of the State Geologist .....	9,100.00
For other salaries .....	59,103.00
For other expenses .....	39,293.00
For equipment purchases .....	2,000.00
For matching Federal funds for the in- vestigation of the surface water re- sources of the State .....	27,500.00
For matching Federal funds for the in- vestigation of the ground water re- sources of the State .....	30,000.00

Total ..... 167,000.00

For the fiscal year ending September  
30, 1957:

For salary of the State Geologist .....	9,100.00
For other salaries .....	61,864.00
For other expenses .....	24,536.00
For equipment purchases .....	2,000.00
For matching Federal funds for the in- vestigation of the surface water re- sources of the State .....	27,500.00
For matching Federal funds for the in- vestigation of the ground water re- sources of the State .....	30,000.00

Total ..... 155,000.00

## (3) STATE SOIL CONSERVATION COMMITTEE:

For salaries .....	9,000.00
For other expenses .....	11,250.00
For equipment purchases .....	500.00

Total ..... 20,750.00

## (4) FORT MORGAN HISTORICAL SOCIETY:

For salaries .....	10,500.00
For other expenses .....	20,000.00

Total ..... 30,500.00

(5) FOR TRANSFER TO AGRICUL-  
TURAL FUND:

For salaries, other expenses and equip-  
ment purchases for the Department  
of Agriculture and Industries:

For the fiscal year ending September  
30, 1956 ..... 211,773.50

For the fiscal year ending September  
30, 1957 ..... 210,573.50

## VII. EDUCATION:

## (1) INTEREST ON ENDOWMENTS:

For interest on Alabama College Endowment, estimated .....	40,000.00	
For interest on Alabama Polytechnic Institute Endowment .....	20,280.00	
For interest on University of Alabama Endowment .....	61,000.00	
For interest on Grove Hill Endowment..	600.00	
For interest on Public School Fund Endowments:		
Interest on 16th section lands, estimated .....	173,659.00	
Interest on school indemnity lands, estimated .....	31,596.81	
Interest on valueless 16th section lands .....	5,825.47	
Interest on surplus revenue .....	26,763.47	
Interest on James Wallace Fund .....	275.25	
Total estimated .....		360,000.00

## VIII. HOSPITALS AND CORRECTIONAL FUNCTIONS:

## (1) BOARD OF CORRECTIONS:

For transfer to Board of Corrections for salaries of the employees of the Board .....	1,375,000.00
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## (2) ALABAMA INSANE HOSPITALS:

For the support, maintenance and repair of Alabama Insane Hospitals, an amount to be fixed by the Governor at not less than \$6.00 per week nor more than \$13.50 per week, for each patient,	
For the fiscal year ending September 30, 1956, estimated .....	5,284,628.00
For the fiscal year ending September 30, 1957, estimated .....	5,436,344.00
Conditional upon the condition of the treasury and with the approval of the Governor, an amount not in excess of \$1.00 per week for each patient,	
For the fiscal year ending September 30, 1956, estimated .....	391,456.00
For the fiscal year ending September 30, 1957, estimated .....	402,688.00
For training Psychiatric Nurses .....	25,000.00

## (3) PARTLOW STATE SCHOOL FOR MENTAL DEFICIENTS:

For the support, maintenance and repair of the Partlow State School

for Mental Deficients, an amount  
~~to be fixed by the Governor at not~~  
 less than \$6.00 per week nor more  
 than \$13.50 per week for each pa-  
 tient,

For the fiscal year ending September 30, 1956, estimated .....	982,800.00
For the fiscal year ending September 30, 1957, estimated .....	1,017,900.00
Conditional upon the condition of the treasury and with the approval of the Governor, an amount not in excess of \$1.00 per week for each patient,	
For the fiscal year ending September 30, 1956, estimated .....	72,800.00
For the fiscal year ending September 30, 1957, estimated .....	75,400.00
(4) REMOVAL OF PRISONERS:	
For expenses incident to removal of prisoners, estimated .....	20,000.00
(5) FEEDING OF PRISONERS:	
For expenses of feeding prisoners in county jails, estimated .....	375,000.00
(6) ARREST OF ABSCONDING FELONS:	
For expenses incident to the arrest of absconding felons, estimated .....	1,000.00
(7) BOARD OF PARDONS AND PAROLES:	
For the fiscal year ending September 30, 1956:	
For salaries of Board Members .....	22,500.00
For other salaries .....	236,460.00
For other expenses .....	54,000.00
For equipment purchases .....	12,040.00
Total .....	325,000.00
For the fiscal year ending September 30, 1957:	
For salaries of Board Members .....	22,500.00
For other salaries .....	238,460.00
For other expenses .....	54,000.00
For equipment purchases .....	10,040.00
Total .....	325,000.00
IX. DEBT SERVICE:	
(1) For interest on Class A. Renewal and Class C. Renewal and Funding Renewal Bonds for the fiscal year ending September 30, 1956 .....	302,385.00

(2) For Hospital Construction Bond Sinking Fund for the fiscal year ending September 30, 1956 .....	214,178.00
(3) For Hospital Construction Bond Sinking Fund for the fiscal year ending September 30, 1957 .....	213,730.00
(4) For interest on Spanish American War Veterans Fund, estimated .....	294.86

## X. MISCELLANEOUS:

(1) For advertising lands for tax sale, estimated .....	5,000.00
(2) Alabama Agricultural and Industrial Exhibit Commission .....	25,000.00
(3) For payment of Attorneys fees in indigent capital cases (as provided in Act No. 176, 1947 Acts, page 61)...	22,500.00
(4) Automatic Appeal Expenses as provided in 1943 Acts of Legislature, page 217, estimated .....	3,500.00
(5) Cahaba Historical Commission: To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449 .....	500.00
(6) For civil court costs in connection with ad valorem tax assessment appeals, estimated .....	1,000.00
(7) For court costs to be paid by the State of Alabama not otherwise provided for, estimated .....	1,000.00
(8) For distribution of public documents, estimated .....	3,000.00
(9) Departmental Emergency Fund .....	150,000.00
(This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section)	
(10) Employees' Special Pension Fund: For the fiscal year ending September 30, 1956 .....	60,000.00
For the fiscal year ending September 30, 1957 .....	65,000.00
(11) Gorgas Memorial Board:	
To provide for the expenditures authorized by Act No. 417, 1943 Acts, page 383 .....	10,000.00
(12) For expense of Governor's Proclamations, estimated:	

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For the fiscal year ending September 30, 1956 .....	<del>40,000.00</del>
For the fiscal year ending September 30, 1957 .....	20,000.00
(13) Hall of Fame Board:	
For payment of salaries and expenses...	2,100.00
(14) Richmond Pearson Hobson Memorial Board:	
To provide for the expenditures authorized by Act No. 536, 1943 Acts, page 510 .....	2,750.00
(15) LaGrange Historical Commission: To provide for the expenditures authorized by Act No. 551, 1943 Acts, page 540 .....	500.00
(16) For mailing tax notices, estimated.....	3,500.00
(17) Purchase Code Pocket Supplement for the fiscal year ending September 30, 1956, estimated .....	25,000.00
(18) For printing of State and County Privilege Licenses, estimated .....	6,000.00
(19) For registration of voters, estimated:	
For the fiscal year ending September 30, 1956 .....	175,000.00
For the fiscal year ending September 30, 1957 .....	125,000.00
(20) For Spanish War Veterans Encampment .....	1,500.00
(21) First White House of Confederacy, for salaries and other expenses .....	3,140.00
(22) For Bangs Disease Control:	
For salaries .....	40,000.00
For other expenses .....	60,000.00
Total .....	100,000.00
This appropriation to be expended by the State Veterinarian at the direction of the Commissioner of Agriculture.	
(23) For Prevention and Control of Diseases of Swine:	
For salaries .....	43,000.00
For other expenses .....	53,000.00
For equipment purchases .....	4,000.00
Total .....	100,000.00
This appropriation to be expended by the State Veterinarian at the direction of the Commissioner of Agriculture.	

(24) For Southern Regional Council on Mental Health Training and Research...	8,000.00
FROM FUNDS OTHER THAN GENERAL FUND	

**XI. AERONAUTICS DEPARTMENT:**

For the fiscal year ending September 30,  
1956:

For salary of the Director .....	7,200.00	
For other salaries .....	25,884.00	
For other expenses .....	14,763.00	
For equipment purchases .....	7,434.00	
Total .....		55,281.00
For State aid for Airports — For Airports and Airmarking .....		150,000.00

For the fiscal year ending September 30,  
1957:

For salary of the Director .....	7,200.00	
For other salaries .....	25,884.00	
For other expenses .....	14,763.00	
For equipment purchases .....	3,000.00	
Total .....		50,847.00
For State aid for Airports — For Airports and Airmarking .....		125,000.00

The above appropriations shall be paid out of the receipts to the State Airports Development Fund as provided in Act No. 402, approved July 9, 1945, and the amounts appropriated herein shall be the maximum expenditures pursuant thereto.

**XII. AGRICULTURE AND INDUSTRIES:****A. ADMINISTRATIVE OPERATIONS:**

For salary of the Commissioner .....	8,400.00	
For other salaries .....	634,000.00	
For other expenses .....	240,000.00	
For rent to Alabama Building Corporation .....	52,473.50	
For equipment purchases .....	47,000.00	
For Awarding Prizes and Premiums.....	35,000.00	
Total .....		1,016,873.50

(The above appropriation is payable from funds in the Agricultural Fund and shall be the maximum amount expended therefrom for operation and shall include the appropriation made in Section VI, sub-section (5) in this Act.)

**B. TRANSFER OF FUNDS FROM AGRICULTURAL FUND:**

For the fiscal year ending September  
30, 1956:

(1) For transfer to Agricultural Center Board for operation and debt service .....	95,100.00
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(2) For transfer to Agricultural Center <del>Board for operation of Livestock</del> Coliseum .....	25,000.00	
(3) For transfer to Shipping Point In- spection Fund .....	15,000.00	
(4) For transfer to White Fringed Beetle Control Fund .....	27,000.00	
(5) For transfer to State Personnel De- partment .....	2,739.00	
Total .....		164,839.00

For the fiscal year ending September  
30, 1957:

(1) For transfer to Agricultural Center Board for operation and debt ser- vice .....	93,900.00	
(2) For transfer to Agricultural Center Board for operation of Livestock Coliseum .....	25,000.00	
(3) For transfer to Shipping Point In- spection Fund .....	15,000.00	
(4) For transfer to White Fringed Beetle Control Fund .....	27,000.00	
(5) For transfer to State Personnel De- partment .....	2,814.00	
Total .....		163,714.00

#### C. EGG INSPECTION DIVISION:

For the fiscal year ending September  
30, 1956:

For salaries, other expenses and equip- ment purchases .....	60,000.00
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For the fiscal year ending September  
30, 1957:

For salaries, other expenses and equip- ment purchases .....	100,000.00
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(The above appropriations are payable from funds  
in the Egg Inspection Fund and shall be the Maxi-  
mum amounts expended therefrom.)

#### D. AGRICULTURAL CENTER BOARD:

For the fiscal year ending September  
30, 1956:

For salaries .....	13,950.00
For other expenses .....	5,850.00
For equipment purchases .....	200.00
For debt service on Coliseum Bonds.....	75,100.00

Total .....	95,100.00
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For the fiscal year ending September  
30, 1957:

For salaries .....	14,310.00	
For other expenses .....	5,490.00	
For equipment purchases .....	200.00	
For debt service on Coliseum Bonds .....	73,900.00	
Total .....		93,900.00

(The above appropriation to the Agricultural Center Board shall be paid out of the Agricultural Center Board Fund.)

#### E. LIVESTOCK COLISEUM:

For salaries, other expenses and equipment purchases .....	90,000.00
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(The fund hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation hereinabove includes the appropriation made to said fund as provided in Item XII B.)

#### F. WHITE FRINGED BEETLE CONTROL FUND:

For salaries, other expenses and equipment purchases .....	12,000.00	
For purchase of necessary insecticides for the control and eradication of the White Fringed Beetle .....	15,000.00	
Total .....		27,000.00

(The fund hereinabove appropriated for the eradication of the White Fringed Beetle shall be paid out of the White Fringed Beetle Control Fund and includes the appropriation made to said fund as provided in sub-section B hereof.)

### XIII. ALCOHOLIC BEVERAGE CONTROL BOARD:

#### A. ADMINISTRATIVE AND STORES DIVISION:

For the fiscal year ending September  
30, 1956:

For salary of administrator .....	10,000.00	
For other salaries .....	1,856,944.00	
For other expenses (transportation costs for merchandise excluded) .....	503,300.00	
For equipment purchases .....	58,390.00	
For additions and betterments .....	8,000.00	
For transfer to State Personnel Department .....	8,393.00	
For transportation costs on merchandise, estimated .....	125,000.00	

Total .....		2,570,027.00
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For the fiscal year ending September  
30, 1957:



For salary of administrator .....	<del>10,000.00</del>
For other salaries .....	1,890,988.00
For other expenses (transportation costs for merchandise excluded) .....	512,100.00
For equipment purchases .....	31,196.00
For additions and betterments .....	5,000.00
For transfer to State Personnel Depart- ment .....	8,622.00
For transportation costs on merchan- dise, estimated .....	125,000.00

Total estimated .....	2,582,906.00
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In addition to the above appropriation herein made there is hereby appropriated for each additional retail store put into operation during each fiscal year, an amount equal to the sum required to install the last comparable retail store put into operation by said Board. Provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized, such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

#### B. LAW ENFORCEMENT DIVISION:

For salaries .....	300,000.00
For other expenses .....	168,000.00
For equipment purchases .....	20,000.00

Total .....	488,000.00
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#### C. COMMISSION ON EDUCATION WITH RESPECT TO ALCOHOLISM:

For the fiscal year ending September 30, 1956:

For salaries .....	4,360.00
For other expenses .....	3,580.00
For equipment purchases .....	2,500.00

Total .....	10,440.00
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For the fiscal year ending September 30, 1957:

For salaries .....	4,360.00
For other expenses .....	6,080.00

Total .....	10,440.00
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#### D. FOR TEMPERANCE EDUCATION ..... 25,000.00

(The appropriations hereinabove made to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.)

## E. BEER TAX AND LICENSE DIVISION:

For the fiscal year ending September  
30, 1956:

For salaries .....	138,302.00	
For other expenses .....	81,790.00	
For equipment purchases .....	1,000.00	
<b>Total .....</b>		<b>221,092.00</b>

For the fiscal year ending September  
30, 1957:

For salaries .....	149,615.00	
For other expenses .....	83,790.00	
For equipment purchases .....	1,000.00	
<b>Total .....</b>		<b>234,405.00</b>

(This appropriation hereinabove made to the Alcoholic Beverage Control Board shall be paid out of the gross proceeds from the licenses, permits, and tax on malt beverages.)

## XIV. ALABAMA STATE BAR ASSOCIATION:

For salaries, other expenses and equip- ment purchases .....	34,000.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

## XV. DEPARTMENT OF CONSERVATION:

## A. ADMINISTRATIVE DIVISION:

For the fiscal year ending September  
30, 1956:

For the salary of the Director .....	10,000.00	
For other salaries .....	168,696.00	
For other expenses .....	80,277.00	
For equipment purchases .....	20,000.00	
For transfer to Personnel Department...	9,108.00	
<b>Total .....</b>		<b>288,081.00</b>

For the fiscal year ending September  
30, 1957:

For the salary of the Director .....	10,000.00	
For other salaries .....	168,696.00	
For other expenses .....	80,029.00	
For equipment purchases .....	20,000.00	
For transfer to Personnel Department...	9,356.00	
<b>Total .....</b>		<b>288,081.00</b>

## B. STATE FORESTRY DIVISION:

For salaries .....	847,000.00
For other expenses and equipment pur- chases .....	397,000.00

For additions and betterments .....	24,000.00	
For transfer to Conservation Department—Administrative Account .....	110,000.00	
Total .....		1,378,000.00

The funds hereinabove appropriated to the State Forestry Division shall be paid out of the State Forestry Fund. In the event of an emergency, so determined by the Director of Conservation and the Governor, the Director of Conservation with the approval of the Governor, is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Division of Forestry.

#### C. GAME AND FISH DIVISION:

For salaries .....	695,532.00	
For other expenses .....	476,100.00	
For equipment purchases .....	100,000.00	
For additions and betterments .....	475,000.00	
For transfer to Conservation Department—Administrative Account .....	110,000.00	
Total .....		1,856,632.00

The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.

#### D. STATE LANDS DIVISION:

For salaries .....	35,316.00	
For other expenses .....	15,184.00	
For equipment purchases .....	2,000.00	
Total .....		52,500.00

The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund.

#### E. STATE PARKS DIVISION:

For salaries .....	105,000.00	
For other expenses .....	93,000.00	
For equipment purchases .....	15,000.00	
For additions and betterments .....	40,000.00	
For transfer to Conservation Department—Administrative Account .....	33,190.00	
Total .....		286,190.00

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item VI (1) in this Act.

#### F. SEAFOODS DIVISION:

For the fiscal year ending September 30, 1956:

For salaries .....	61,608.00	
For other expenses .....	59,150.00	
For equipment purchases .....	48,000.00	
For additions and betterments .....	130,000.00	
For transfer to Conservation Department—Administrative Account .....	37,842.00	
<b>Total .....</b>		<b>336,600.00</b>
For the fiscal year ending September 30, 1957:		
For salaries .....	61,608.00	
For other expenses .....	54,400.00	
For equipment purchases .....	10,000.00	
For additions and betterments .....	125,000.00	
For transfer to Conservation Department—Administrative Account .....	37,842.00	
<b>Total .....</b>		<b>288,850.00</b>
The funds hereinabove appropriated to the Seafood Division shall be paid out of the Seafood Fund.		
For the fiscal year ending September 30, 1956:		
<b>Total .....</b>		<b>4,198,003.00</b>
For the fiscal year ending September 30, 1957:		
<b>Total .....</b>		<b>4,150,253.00</b>

#### XVI. BOARD OF CORRECTIONS:

For the fiscal year ending September 30, 1956:		
For the salary of the Commissioner.....		12,000.00
For transfer to the State Personnel Department .....		4,752.00
For other salaries and expenses incident to the operation and maintenance of the convict system of Alabama, so much as may be necessary.		
For the fiscal year ending September 30, 1957:		
For the salary of the Commissioner.....		12,000.00
For transfer to State Personnel Department .....		4,881.00
For other salaries and expenses incident to the operation and maintenance of the convict system of Alabama, so much as may be necessary.		

The above appropriation to the Board of Corrections shall be paid out of all of the receipts from the administration of the department, including the labor of the convicts, and all other funds appropriated.

**XVII. DENTAL ASSOCIATION:**

For salaries, other expenses and equipment purchases .....	2,600.00
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**XVIII. ALABAMA STATE DOCKS BOARD:**

For transfer to the State Personnel Department:

For the fiscal year ending September 30, 1956 .....	5,203.00
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For the fiscal year ending September 30, 1957 .....	5,345.00
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The above appropriations shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

**XIX. HEALTH DEPARTMENT:****1. Hospital Licensing:**

For the fiscal year ending September 30, 1956:

For salaries .....	8,280.00
For other expenses .....	4,000.00

Total .....	12,280.00
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For the fiscal year ending September 30, 1957:

For salaries .....	8,712.00
For other expenses .....	4,000.00

Total .....	12,712.00
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The above appropriations are payable from the funds in the Vital Statistics Fund and shall be the maximum amounts expended therefrom.

**2. Bureau of Vital Statistics:**

For salaries .....	45,300.00
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The above appropriations are payable from funds in the Vital Statistics Fund and shall be the maximum amounts expended therefrom.

**XX. HIGHWAYS AND BRIDGES:**

For interest and sinking funds on outstanding highway bonds, so much of the gasoline taxes and motor vehicle licenses collected as may be necessary to pay the same; and for the compensation of the State Highway Director, \$10,000.00; for transfer to the State Personnel Department, \$34,452.00 for the fiscal year ending September 30, 1956 and \$35,392.00 for the fiscal year ending September 30, 1957; for maintenance and construction of roads and bridges, for salaries and for other expenses of the Highway Department, the residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to the Highway Department by virtue of Federal aid.

**XXI. DEPARTMENT OF INDUSTRIAL RELATIONS:**

For salary of the Director, estimated .....	10,000.00
For transfer to the State Personnel Department:	

For the fiscal year ending September 30, 1956 .....	8,140.00
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For the fiscal year ending September 30, 1957 .....	8,362.00
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For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation and for such other funds, services and operations for which the United States Government may provide monies: there is hereby appropriated, in addition to the amounts appropriated herein in Item V (9), all such sums as the United States Government may make available therefor.

**XXII. STATE INSURANCE FUND:**

For the fiscal year ending September 30, 1956:

For salaries .....	46,436.00
For other expenses .....	16,877.00
For equipment purchases .....	6,750.00

Total .....	70,063.00
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For the fiscal year ending September 30, 1957:

For salaries .....	48,584.00
For other expenses .....	18,877.00
For equipment purchases .....	8,200.00

Total .....	75,661.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title 28, Section 325, Code of Alabama 1940.

**XXIII. LAW ENFORCEMENT:**

To carry out the provisions of Sections 251 and 260 of Title 29, Code of Alabama 1940, estimated .....	8,000.00
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**XXIV. STATE LICENSING BOARD FOR GENERAL CONTRACTORS:**

For the fiscal year ending September 30, 1956:

For salaries .....	18,060.00
For other expenses .....	11,496.40
For equipment purchases .....	300.00

Total .....	29,856.40
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For the fiscal year ending September  
30, 1957:

For salaries .....	18,060.00	
For other expenses .....	11,496.40	
For equipment purchases .....	500.00	
Total .....		30,056.40

In addition to the amounts appropriated herein-above to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

The above appropriation is payable out of the funds in the State Treasury to the credit of the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

#### XXV. LIQUIFIED PETROLEUM GAS COMMISSION:

For salaries of three commissioners.....	7,500.00	
For other salaries .....	12,180.00	
For other expenses .....	6,085.00	
Total .....		25,765.00

The above appropriation is payable from funds in the State Treasury to the credit of the Liquified Petroleum Gas Fund and shall be the maximum amounts expended therefrom.

#### XXVI. ALABAMA MILK CONTROL BOARD:

For the fiscal year ending September  
30, 1956:

For salaries .....	52,932.00	
For other expenses .....	32,300.00	
For equipment purchases .....	3,000.00	
Total .....		88,232.00

For the fiscal year ending September  
30, 1957:

For salaries .....	56,652.00	
For other expenses .....	32,300.00	
For equipment purchases .....	2,500.00	
Total .....		91,452.00

The above appropriation shall be paid out of the Milk Control Board Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

#### XXVII. BOARD OF NURSES EXAMINERS AN REGISTRATION:

For the fiscal year ending September  
30, 1956:

For salaries .....	18,364.00	
For other expenses .....	9,977.00	

For equipment purchases .....	1,000.00	
<b>Total</b> .....		29,841.00
For the fiscal year ending September 30, 1957:		
For salaries .....	19,683.00	
For other expenses .....	9,470.00	
For equipment purchases .....	1,500.00	
<b>Total</b> .....		30,653.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

#### XXVIII. OIL AND GAS BOARD:

For the fiscal year ending September 30, 1956:		
For salaries .....	32,616.00	
For other expenses .....	15,687.50	
For equipment purchases .....	5,500.00	
For salaries and expenses incurred in opening new oil fields .....	10,000.00	
<b>Total</b> .....		63,803.50
For the fiscal year ending September 30, 1957:		
For salaries .....	33,843.75	
For other expenses .....	15,687.50	
For equipment purchases .....	5,500.00	
For salaries and expenses incurred in opening new oil fields .....	15,000.00	
<b>Total</b> .....		70,031.25

The above appropriation is payable out of the funds in the State Treasury to the credit of the Oil and Gas Fund pursuant to the provisions of Act No. 1, approved May 22, 1945.

#### XXIX. PENSIONS:

1. For confederate veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows.

##### 2. PENSION COMMISSION:

For the fiscal year ending September 30, 1956:		
For salaries .....	4,200.00	
For other expenses .....	400.00	
For equipment purchases .....	300.00	
<b>Total</b> .....		4,900.00



For the fiscal year ending September  
30, 1957:

For salaries .....	4,200.00	
For other expenses .....	400.00	
Total .....		4,600.00

The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, of the Code of Alabama 1940.

### XXX. PERSONNEL DEPARTMENT:

For the fiscal year ending September  
30, 1956:

For salary of the Director .....	7,500.00	
For other salaries .....	81,000.00	
For other expenses .....	16,000.00	
For equipment purchases .....	1,000.00	
Total .....		105,500.00

For the fiscal year ending September  
30, 1957:

For salary of the Director .....	7,500.00	
For other salaries .....	83,500.00	
For other expenses .....	16,000.00	
For equipment purchases .....	1,500.00	
Total .....		108,500.00

The above appropriation shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.

### XXXI. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258, and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided however, not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

### XXXII. PHYSICIANS' ASSOCIATION:

For salaries, other expenses and equipment purchases .....	12,500.00
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### XXXIII. ALABAMA PUBLIC SERVICE COMMISSION:

For salary of President and Two Associate Commissioners .....	21,300.00
For other salaries .....	117,228.00
For other expenses .....	58,767.00

For equipment purchases .....	6,000.00
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Total .....	203,295.00
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The above appropriation to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts of percentage of fees and taxes paid by motor carriers or motor transportation companies as are now or may be set aside by law to be used by the Commission; and all receipts from fees and taxes paid to the Alabama Public Service Commission in excess of \$50,000.00 at the end of each fiscal year shall revert to the General Fund in the State Treasury.

#### XXXIV. DEPARTMENT OF PUBLIC WELFARE:

For the salary of the Commissioner.....	10,000.00
For transfer to the State Personnel Department:	

For the fiscal year ending September 30, 1956 .....	10,879.00
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For the fiscal year ending September 30, 1957 .....	11,176.00
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For other salaries and expenses incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated, in addition to the amounts set out in Item V (16) all Federal, State, County and Municipal funds made available therefor, provided that not more than the sum of two million dollars (\$2,000,000.00) of the State funds made available for welfare purposes may be used for administrative purposes of the Department, provided further, that not more than twenty-seven and one-half per centum of the State funds made available for welfare purposes may be allotted in any one quarter of a fiscal year.

#### XXXV. ALABAMA REAL ESTATE COMMISSION:

For the fiscal year ending September 30, 1956:	
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For salaries .....	18,204.00
For other expenses .....	17,085.00
For equipment purchases .....	1,200.00

Total .....	36,489.00
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For the fiscal year ending September 30, 1957:	
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For salaries .....	18,684.00
For other expenses .....	16,885.00
For equipment purchases .....	500.00

Total .....	36,069.00
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The above appropriation shall be paid out of the receipts to the Alabama Real Estate Fund as pro-

vided in Title 46, Chapter 14, of the Code of Alabama 1940, as amended, and the amounts appropriated herein shall be the maximum expenditure pursuant thereto.

#### XXXVI. STATE BOARD OF REGISTRATION FOR ARCHITECTS:

For the fiscal year ending September  
30, 1956:

For salaries .....	900.00	
For other expenses .....	1,702.50	
Total .....		2,602.50

For the fiscal year ending September  
30, 1957:

For salaries .....	900.00	
For other expenses .....	1,710.00	
For equipment purchases .....	120.00	
Total .....		2,730.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.

#### XXXVII: STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS:

For the fiscal year ending September  
30, 1956:

For salaries .....	11,340.00	
For other expenses .....	6,725.00	
For equipment purchases .....	400.00	
Total .....		18,465.00

For the fiscal year ending September  
30, 1957:

For salaries .....	11,880.00	
For other expenses .....	7,725.00	
For equipment purchases .....	500.00	
Total .....		20,105.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the Professional Engineers Fund as provided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

#### XXXVIII. DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item V (19) of this Act,

For the fiscal year ending September 30, 1956 .....	315,738.00
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For the fiscal year ending September  
30, 1957 ..... 322,200.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Financial Institutions Excise Tax collections as part of the cost of operating said Department,

For the fiscal year ending September  
30, 1956 ..... 26,176.00

For the fiscal year ending September  
30, 1957 ..... 26,712.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Gasoline Tax collections as part of the cost of operating said Department,

For the fiscal year ending September  
30, 1956 ..... 110,000.00

For the fiscal year ending September  
30, 1957 ..... 110,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from Income Tax collections, for the cost of collecting said tax,

For the fiscal year ending September  
30, 1956 ..... 445,000.00

For the fiscal year ending September  
30, 1957 ..... 445,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Mileage Tax collections as part of the cost of operating said Department,

For the fiscal year ending September  
30, 1956 ..... 90,000.00

For the fiscal year ending September  
30, 1957 ..... 90,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Fuel Tax collections as part of the cost of operating said Department,

For the fiscal year ending September  
30, 1956 ..... 60,000.00

For the fiscal year ending September  
30, 1957 ..... 60,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Vehicle License collections as part of the cost of operating said Department,

For the fiscal year ending September  
30, 1956 ..... 391,400.00

For the fiscal year ending September

30, 1957 ..... 420,900.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Iron Ore Tonnage Tax collections as part of the cost of operating said Department,

For the fiscal year ending September

30, 1956 ..... 3,467.00

For the fiscal year ending September

30, 1957 ..... 3,538.00

There is hereby appropriated for transfer to the Revenue Department, Administrative Account, from the Public School Fund as part of the cost of collection of the 3-mill ad valorem tax,

For the fiscal year ending September

30, 1956 ..... 70,317.00

For the fiscal year ending September

30, 1957 ..... 71,756.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Sales Tax Collections as part of the cost of operating said Department,

For the fiscal year ending September

30, 1956 ..... 1,249,103.00

For the fiscal year ending September

30, 1957 ..... 1,274,670.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Store License Tax collections as part of the cost of operating said Department,

For the fiscal year ending September

30, 1956 ..... 18,066.00

For the fiscal year ending September

30, 1957 ..... 18,436.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Tobacco Tax collections as part of the cost of operating said Department,

For the fiscal year ending September

30, 1956 ..... 227,010.00

For the fiscal year ending September

30, 1957 ..... 231,656.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Use Tax collections as part of the cost of operating said Department,

For the fiscal year ending September

30, 1956 ..... 100,184.00

For the fiscal year ending September

30, 1957 ..... 102,234.00

There is hereby appropriated for transfer to Revenue Department Administrative Account, from the gross proceeds from the tax collections under the provisions of the Constitutional Amendment proposed by H. B. 683, conditional upon the ratification of said Constitutional Amendment ..... 225,000.00

For the fiscal year ending September 30, 1956:

Total ..... 3,106,461.00

For the fiscal year ending September 30, 1957:

Total ..... 3,177,102.00  
Total Conditional ..... 225,000.00

#### DEPARTMENT OF REVENUE — ADMINISTRATIVE ACCOUNT:

For the fiscal year ending September 30, 1956:

For the salary of the Commissioner ..... 10,000.00  
For other salaries ..... 1,886,590.00  
For other expenses ..... 1,049,361.00  
For equipment purchases ..... 33,000.00  
For transfer to State Personnel Department ..... 4,510.00

Total ..... 2,983,461.00

For the fiscal year ending September 30, 1957:

For the salary of the Commissioner ..... 10,000.00  
For other salaries ..... 1,931,267.00  
For other expenses ..... 1,083,202.00  
For equipment purchases ..... 25,000.00  
For transfer to State Personnel Department ..... 4,633.00

Total ..... 3,054,102.00

For salaries, other expenses and equipment purchases incident to the maintenance and operation of the Department of Revenue in collecting the taxes levied under the provision of the constitutional amendment proposed by H. B. 683, conditional upon the ratification of said constitutional amendment ..... 225,000.00

The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue

~~all sums allowed the Department of Revenue by~~  
Local Acts of the Legislature as a charge for the  
collection of taxes or licenses.

### XXXIX. STATE BOARD OF VETERINARY MEDICAL EXAMINERS:

For salaries .....	100.00
For other expenses .....	2,900.00
<hr/>	
Total .....	3,000.00

The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

### XL. SHIPPING POINT INSPECTION:

For the payment of expenses and salaries incident to operation of shipping Point Inspection of Department of Agriculture and Industries...	15,000.00
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(This is the appropriation contemplated in Item XII B (3))

In addition to the above appropriation, there is also hereby appropriated for Shipping Point Inspection, all fees and charges collected by the Commissioner of Agriculture and Industries under the provisions of Title 2, Chapter 1, Article 25, Code of Alabama 1940, pursuant to an agreement with the U. S. Department of Agriculture whereby co-operative Federal-State shipping point and terminal market inspection services for grading and classification of agricultural commodities are performed.

The above appropriation shall be paid out of the receipts to the Shipping Point Inspection Fund.

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission, or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended

for the purposes herein designated and that in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for these appropriations designated as 'estimated', and all appropriations herein made except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school, or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts, or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities, or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated, and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made, not in and of itself unconstitutional or invalid.

Section 8. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be, and the same are hereby expressly repealed.

Section 9. That this Act shall become effective on October 1, 1955.

JAMES A. BRANNAN, II

BRYCE C. DAVIS

JESSE BROWN

Conferees on the part of the  
House

BROUGHTON LAMBERTH

RICHMOND M. FLOWERS

E. O. EDDINS

Conferees on the part of the  
Senate.

#### CONFERENCE COMMITTEE REPORT ADOPTED

Mr. Hawkins moved that the House concur in and adopt the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 206, said report being set out in the above and foregoing Report of the Committee of Conference.

Mr. Pruitt offered as a substitute motion, a motion to non-concur in the Report of the Committee of Conference and have Chair name a new Committee of Conference.

On motion of Mr. Davis the substitute motion of Mr. Pruitt to non-concur in the Report of the Committee of Conference and have Chair name a new Committee of Conference was laid upon the table.



~~Yeas 53; Nays 44~~**Yeas:**

Mr. Speaker	Edwards (Escambia)	Lackey	Roberts
Adams	Edwards (Jefferson)	Law	Selman
Bassett	Ferrell	Love	Shumate
Branyon	Gist	Martin	Simon
Brassell	Gregory	Mathews	Speaks
Brewer	Grouby	Mathison	Steagall
Broadfoot	Haltom	Meeks	Stembridge
Brown (Lamar)	Hanby	Money	Summerlin
Burkhalter	Hare	Murphy	Taylor
Callahan	Hawkins	Nice	Tyson
Davis	Hodges	Oden	Vacca
Dawkins	Jenkins	Perry	Ward
deGraffenried	Johnson (Elmore)	Reynolds	Wood
Dement			

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**Nays:**

Messrs.	Gilchrist	Kendall	Nettles
Albea	Goodwyn	Killough	Nolen
Ashworth	Hain	Kirkham	Oakley
Boyd	Hall	Lee (Barbour)	Payne
Brannan	Hardy	Locke (Choctaw)	Pirkle
Brown (Lee)	Harrison	Locke (Perry)	Pruitt
Cornett	Harvey	McClendon	Richardson
Crook	Holliman	McKay	Solomon
DeSear	Hunt	McLendon	Stokes
Dickson	Johnson (Tallapoosa)	Merrill	Thomas
Faulk	Kaul	Molette	Windle
Franklin			

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And the motion of Mr. Hawkins that the House concur in and adopt the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 206, was adopted.

Yeas 61; Nays 41.

**Yeas:**

Mr. Speaker	Edwards (Escambia)	Lackey	Reynolds
Adams	Edwards (Jefferson)	Law	Roberts
Bassett	Ferrell	Lee (Lawrence)	Selman
Bradford	Gist	Love	Shumate
Branyon	Gregory	Martin	Simon
Brassell	Grouby	Mathews	Speaks
Brewer	Haltom	Mathison	Steagall
Broadfoot	Hanby	Meeks	Stembridge
Brown (Lamar)	Hare	Money	Summerlin
Burkhalter	Hawkins	Murphy	Taylor
Callahan	Hodges	Nice	Thomas
Cox	Huddleston	Oden	Tyson
Davis	Jenkins	Payne	Vacca
Dawkins	Johnson (Elmore)	Perry	Ward
deGraffenried	Kelly	Ramey	Wood
Dement			

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**Nays:**

Messrs.	Gilchrist	Kendall	Molette
Albea	Goodwyn	Killough	Nettles
Ashworth	Hain	Kirkham	Nolen
Boyd	Hall	Lee (Barbour)	Oakley
Brannan	Hardy	Locke (Choctaw)	Pirkle
Brown (Lee)	Harrison	Locke (Perry)	Pruitt
Cornett	Harvey	McKay	Richardson
DeSear	Holliman	McLendon	Solomon
Dickson	Hunt	McNider	Stokes
Faulk	Johnson (Tallapoosa)	Merrill	Windle
Franklin	Kaul		

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And said bill:

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 65; Nays 32.

**Yeas:**

Mr. Speaker	Ferrell	Law	Ramey
Adams	Gist	Lee (Lawrence)	Reynolds
Bassett	Gregory	Locke (Choctaw)	Roberts
Brannan	Grouby	Love	Selman
Branyon	Haltom	Martin	Shumate
Brassell	Hanby	Mathews	Simon
Brewer	Hare	Mathison	Speaks
Broadfoot	Harvey	Merrill	Steagall
Brown (Lamar)	Hawkins	Money	Stembridge
Burkhalter	Hodges	Murphy	Summerlin
Callahan	Huddleston	Nice	Taylor
Davis	Hunt	Nolen	Thomas
Dawkins	Jenkins	Oden	Tyson
deGraffenried	Johnson (Elmore)	Payne	Vacca
Dement	Kelly	Perry	Ward
Edwards (Escambia)	Lackey	Pirkle	Wood
Edwards (Jefferson)			

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**Nays:**

Messrs.	Gilchrist	Kaul	Molette
Albea	Goodwyn	Kendall	Nettles
Ashworth	Hain	Killough	Oakley
Boyd	Hall	Kirkham	Pruitt
Brown (Lee)	Hardy	Lee (Barbour)	Richardson
Cornett	Harrison	Locke (Perry)	Solomon
Dickson	Holliman	McKay	Stokes
Faulk	Johnson (Tallapoosa)	McLendon	Windle
Franklin			

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**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate bill:

~~S. B. 336. To amend Act No. 46, H. 36, approved April 7, 1955, which regulates the sale of eggs and provides for the inspection and grading thereof.~~

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 179. To enable the State of Alabama to enter into a compact with other states for the purpose of promoting effective prevention and control of forest fires in the Southeastern Region of the United States by the development of integrated forest fire plans; to provide for mutual aid between such compacting states in fighting forest fires; to provide for a forest fire control compact administrator for the State of Alabama; to provide and establish an Advisory Committee of legislators and forestry representatives; to provide for the duties and travel expense of said committee.

Also:

H. 1012. Proposing an amendment to the Constitution of Alabama relating to the powers and authority of the court of county commissioners, board of revenue, or like governing body of Marion and Lamar counties.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H 85. Relating to judicial procedure; providing for a three-judge special court to hear and determine applications for injunctions restraining the enforcement, operation, or execution of orders or decisions of the Alabama Public Service Commission.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the majority report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. B. 338. To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

Said Conference report being in words and figures as follows, to-wit:

REPORT OF THE COMMITTEE OF CONFERENCE RELATIVE TO  
SENATE BILL 338

We, the committee of conference appointed to reconcile the disagreement of the two houses on the amendments of the House to the

bill, S. B. 338, have met, and a majority of the committee have agreed to the following report:

We recommend that the House recede from its amendment to the bill, and that both houses agree to the following amendment:

Amend Section 1 of the bill by striking out the words, "When wholesalers or jobbers have qualified as such with the department of revenue as provided in section 730 of this title, and desire to purchase stamps as prescribed herein for use on taxable tobaccos sold and delivered by them, the department of revenue shall allow on such sales of tobacco tax stamps the following discounts: on a sale of one hundred dollars or over and less than two hundred dollars of such stamps, a discount of three percent on the entire amount of such sale; on a sale of two hundred dollars or more of such stamps, a discount of seven and one-half percent on the amount of such stamps to be affixed to cigarettes and a discount of ten percent on the amount of such stamps to be affixed to all other tobaccos and tobacco products: Provided, that where wholesalers or jobbers are entitled to purchase stamps at a discount of seven and one-half percent or ten percent, as herein provided, instead of the department of revenue selling said stamps to such jobbers or wholesalers for cash, it may consign such stamps, if and when such wholesaler or jobber shall give to the department of revenue a good and sufficient bond executed by some surety company authorized to do business in this state, conditioned to secure the payment for the stamps so consigned when and as they are used on manufactured tobacco products by such wholesaler or jobber."

And substitute in lieu thereof the following:

"When wholesalers or jobbers have qualified as such with the Department of Revenue as provided in Section 730 of this title, and desire to purchase stamps as prescribed herein for use on taxable tobaccos sold and delivered by them, the Department of Revenue shall allow on such sales of tobacco tax stamps a discount of seven and one-half percent (7½%) on the entire amount of the sale. Provided, that where wholesalers or jobbers are entitled to purchase stamps at a discount as herein provided, instead of the Department of Revenue selling such stamps to such jobbers or wholesalers for cash, it may consign such stamps, if and when such wholesaler or jobber shall give to the Department of Revenue a good and sufficient bond executed by some surety company authorized to do business in this State, conditioned to secure the payment for the stamps so consigned when and as they are used on manufactured tobacco products by such wholesaler or jobber."

ALBERT BOUTWELL

ROLAND COOPER

GERALD BRADFORD

Conferees on the part of the Senate

P. S. KENDALL, JR.

Conferees on the part of the House.

#### REPORT OF THE MINORITY OF THE COMMITTEE OF CONFERENCE RELATIVE TO SENATE BILL 338

We, a minority of the committee of conference appointed to reconcile the disagreement of the two houses concerning the amendments of the House to the bill, S. B. 338, recommend that the House recede from its amendment to the bill and that the following amendment be agreed to by both houses:

Amend Section I of the bill by striking out the words, "~~When wholesalers or jobbers have qualified as such with the department of revenue~~ as provided in section 730 of this title, and desire to purchase stamps as prescribed herein for use on taxable tobaccos sold and delivered by them, the department of revenue shall allow on such sales of tobacco tax stamps the following discounts: on a sale of one hundred dollars or over and less than two hundred dollars of such stamps, a discount of three percent on the entire amount of such sale; on a sale of two hundred dollars or more of such stamps, a discount of seven and one-half percent on the amount of such stamps to be affixed to cigarettes and a discount of ten percent on the amount of such stamps to be affixed to all other tobaccos and tobacco products: Provided, that where wholesalers or jobbers are entitled to purchase stamps at a discount of seven and one-half percent or ten percent, as herein provided, instead of the department of revenue selling said stamps to such jobbers or wholesalers for cash, it may consign such stamps, if and when such wholesaler or jobber shall give to the department of revenue a good and sufficient bond executed by some surety company authorized to do business in this state, conditioned to secure the payment for the stamps so consigned when and as they are used on manufactured tobacco products by such wholesaler or jobber."

And substitute the following in lieu thereof:

"When wholesalers or jobbers have qualified as such with the Department of Revenue as provided in Section 730 of this title, and desire to purchase stamps as prescribed herein for use on taxable tobaccos sold and delivered by them, the Department of Revenue shall allow on such sales of tobacco tax stamps the following discounts: a discount of six and one-half percent (6½%) on the amount of such stamps to be affixed to cigarettes and a discount of ten percent (10%) on the amount of such stamps to be affixed to all other tobaccos and tobacco products; provided, that where wholesalers or jobbers are entitled to purchase stamps at a discount as herein provided, instead of the Department of Revenue selling such stamps to such jobbers or wholesalers for cash, it may consign such stamps, if and when such wholesaler or jobber shall give to the Department of Revenue a good and sufficient bond executed by some surety company authorized to do business in this State, conditioned to secure the payment for the stamps so consigned when and as they are used on manufactured tobacco products by such wholesaler or jobber."

JOE M. DAWKINS

B. C. DAVIS

Conferees on the part of the House.

And said Bill, S. B. 338, together with the Conference report, is herewith sent to the House for its consideration.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

Mr. Dawkins moved that the House non-concur in the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 338, and have Chair name a new Committee of Conference, said report being set out in the above and foregoing Message from the Senate.

On motion of Mr. Thomas the motion of Mr. Dawkins that the House non-concur in the Report of the Committee of Conference on the

disagreement of the two Houses on the House amendment to the bill, S. 338, and have Chair name a new Committee of Conference, was laid upon the table.

Yeas 62; Nays 24.

**Yeas:**

Messrs.	DeSear	Hunt	Nettles
Adams	Dickson	Jenkins	Oakley
Albea	Edwards (Escambia)	Johnson (Elmore)	Payne
Bassett	Edwards (Jefferson)	Johnson (Tallapoosa)	Perry
Boyd	Faulk	Kaul	Pirkle
Brannan	Franklin	Kelly	Pruitt
Branyon	Gilchrist	Kendall	Ramey
Brassell	Gist	Kirkham	Richardson
Brewer	Hain	Lackey	Roberts
Broadfoot	Haltom	Lee (Barbour)	Steagall
Brown (Lee)	Hanby	McClendon	Stembridge
Burkhalter	Hardy	McKay	Stokes
Callahan	Harrison	McLendon	Thomas
Cornett	Hodges	Martin	Vacca
Cox	Holliman	Merrill	Windle
deGraffenried	Huddleston	Murphy	

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**Nays:**

Mr. Speaker	Dement	McNider	Shumate
Ashworth	Goodwyn	Mathews	Simon
Bradford	Grouby	Meeks	Solomon
Brown (Lamar)	Hall	Money	Speaks
Davis	Hare	Nolen	Ward
Dawkins	Love	Selman	Wood

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And the House concurred in and adopted the majority report of the Committee of Conference.

Yeas 83; Nays 9.

**Yeas:**

Mr. Speaker	Dement	Hunt	Mathews
Adams	DeSear	Jenkins	Meeks
Albea	Dickson	Johnson (Elmore)	Merrill
Ashworth	Edwards (Escambia)	Johnson (Tallapoosa)	Money
Bassett	Edwards (Jefferson)	Kaul	Murphy
Boyd	Faulk	Kelly	Nettles
Bradford	Ferrell	Kendall	Nice
Brannan	Franklin	Killough	Nolen
Branyon	Gilchrist	Kirkham	Oakley
Brassell	Gist	Lackey	Payne
Brewer	Grouby	Law	Perry
Broadfoot	Hain	Lee (Barbour)	Pirkle
Brown (Lamar)	Haltom	Locke (Choctaw)	Pruitt
Brown (Lee)	Hanby	Love	Reynolds
Burkhalter	Hardy	McClendon	Richardson
Callahan	Harrison	McKay	Roberts
Cornett	Hodges	McLendon	Simon
Cox	Holliman	McNider	Solomon
deGraffenried	Huddleston	Martin	Speaks

<del>Steagall</del>	<del>Stokes</del>	<del>Thomas</del>	<del>Windle</del>
Stembridge	Taylor	Vacca	

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**Nays:**

Messrs.	Goodwyn	Selman	Ward
Davis	Hall	Shumate	Wood
Dawkins	Hare		

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**POINT OF PERSONAL PRIVILEGE**

On the request of Mr. Jenkins the following was ordered inserted in the Journal:

Mr. Speaker:

I desire to explain my vote on H. B. 206. Although I object vigorously to the greatly increased appropriation to the Department of Revenue for expenses incident to the boards of equalization, because I don't want the State Department's agents to come to my county of Randolph and tell us how to assess our property for taxation, I have no choice but to vote for the bill in its present form.

**MOTION TO RECESS LOST**

The motion of Mr. Wood to recess until 8:30 o'clock this evening was lost.

**MESSAGE FROM THE GOVERNOR**

To the Legislature of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to the Civil Service Board of the City of Anniston.

Respectfully submitted,

O. H. FINNEY, JR.,  
Executive Secretary.

September 2, 1955

To the Legislature of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Civil Service Board of the City of Anniston, Alabama:

Aubrey H. Arnold, Anniston, Alabama, succeeding Mrs. Charles F. Doster for the term expiring September 11, 1957.

Richard McNeal, Anniston, Alabama, for the term expiring September 11, 1961.

Respectfully,

JAMES E. FOLSOM,  
Governor.

**GOVERNOR'S MESSAGE**

On motion of Mr. Merrill, upon a viva voce roll call, the appointment of Aubrey H. Arnold and Richard McNeal as members of the Civil

Service Board of the City of Anniston, Alabama, as contained in the above and foregoing Message from the Governor, was confirmed.

Yeas 84; Nays 0.

**Yeas:**

Messrs.	Edwards <sup>(Escambia)</sup>	Hunt	Murphy
Adams	Edwards <sup>(Jefferson)</sup>	Jenkins	Nettles
Ashworth	Ferrell	Johnson <sup>(Elmore)</sup>	Nice
Bassett	Franklin	Johnson <sup>(Tallapoosa)</sup>	Nolen
Boyd	Gilchrist	Kelly	Oakley
Bradford	Gist	Kendall	Oden
Brannan	Goodwyn	Killough	Payne
Branyon	Gregory	Kirkham	Pirkle
Brassell	Grouby	Lackey	Ramey
Brewer	Hain	Law	Reynolds
Broadfoot	Hall	Locke <sup>(Choctaw)</sup>	Richardson
Brown <sup>(Lamar)</sup>	Haltom	Love	Roberts
Brown <sup>(Lee)</sup>	Hanby	McClendon	Selman
Burkhalter	Hardy	McKay	Shumate
Callahan	Hare	McLendon	Speaks
Cox	Harrison	McNider	Stembridge
Davis	Harvey	Martin	Stokes
Dawkins	Hawkins	Mathews	Summerlin
deGraffenried	Hodges	Meeks	Taylor
Dement	Holliman	Merrill	Vacca
DeSear	Huddleston	Money	Wood
Dickson			

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**RESOLUTIONS**

The following resolutions were introduced:

By Mr. Pruitt:

H. J. R. 99. BE IT RESOLVED by the House of Representatives, the Senate concurring that H. B. 85 passed by the Senate on the 2nd day of September 1955, be and the same is hereby known as the Harrison-Fite-Skidmore Bill.

On motion of Mr. Pruitt the rules were suspended and H. J. R. 99 was adopted.

Also:

By Mr. Pruitt:

H. J. R. 100. BE IT RESOLVED by the House of Representatives, the Senate concurring that H. B. 584 passed by the Senate on the 2nd day of September 1955, be and the same is hereby known as the Harrison-Goodwyn Bill.

On motion of Mr. Pruitt the rules were suspended and H. J. R. 100 was adopted.

**RECESS**

On motion of Mr. Faulk the House recessed until 8:30 o'clock this evening.

Yeas 61; Nays 20.

**Yeas:**

Mr. Speaker	Bradford	Broadfoot	Cox
Albea	Branyon	Brown <sup>(Lamar)</sup>	Davis
Bassett	Brewer	Burkhalter	Dawkins



deGraffenried	Hanby	Love	Reynolds
Dement	Harrison	McClendon	Seiman
DeSear	Harvey	McKay	Shumate
Edwards (Escambia)	Hawkins	McLendon	Simon
Edwards (Jefferson)	Hunt	McNider	Speaks
Faulk	Jenkins	Mathews	Steagall
Franklin	Kaul	Money	Stembridge
Gilchrist	Kelly	Murphy	Summerlin
Gist	Killough	Nolen	Taylor
Gregory	Kirkham	Payne	Vacca
Grouby	Lackey	Pirkle	Windle
Hall	Locke (Choctaw)	Ramey	Wood
Haltom			

—61

**Nays:**

Messrs.	Dickson	Johnson (Tallapoosa)	Perry
Adams	Hain	Kendall	Pruitt
Ashworth	Hardy	Law	Richardson
Brannan	Hodges	Nettles	Roberts
Brassell	Holliman	Oakley	Stokes
Brown (Lee)			

—20

**EVENING SESSION**

The hour of 8:30 P.M. having arrived, the House reconvened.

**MOTION TO SUSPEND RULES ADOPTED**

The motion of Mr. Martin to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 290, was adopted.

**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 304. Relating to the blind and visually handicapped; authorizing the Adult Blind Department of the Alabama Institute for Deaf and Blind to maintain, develop and supervise work shops and home industries for blind and visually handicapped persons, and to act as sales agent for the products made by blind and visually handicapped persons and for services of such persons; requiring state departments, agencies and institutions to purchase articles produced by the blind and services rendered by the blind under the supervision of the Adult Blind Department of the Alabama Institute for Deaf and Blind; prescribing the procedure for the requisitioning, purchasing and supply of such articles and services and authorizing political subdivisions of the State to purchase blind-made articles and to procure the services of the blind and visually handicapped in the same manner that state departments, agents and institutions procure them.

Also:

H. 302. Defining blind persons, blind-made products and services; prohibiting the sale, distribution, or exhibition of any products or services which are purported to be blind-made other than as herein defined; and providing a penalty.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills, and returns same herewith to the House:

H. 867. To make an appropriation for the use of the Agricultural Center Board in the purchase of certain equipment.

Also:

H. 303. To authorize and provide for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political sub-divisions by blind persons, for the purpose of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self supporting.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 336. To amend Section 1 of Act No. 689 of the Legislature of 1953, entitled "An Act relating to highways; to authorize the State Highway Department to construct, repair and maintain roads on land owned by the State and designated as the Agricultural Center on which the State Coliseum Building is located" approved September 17, 1953, General Acts of 1953, page 941, by authorizing the State Highway Department to construct roads, driveways, walkways and vehicular parking areas on the property of the Agricultural Center.

Also:

H. 124. To provide that persons in the service of the government of the United States and their spouses, if living within the borders of the State of Alabama at the time of their death, shall be deemed to be residents and inhabitants of Alabama for purposes of general probate jurisdiction.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Yarbrough (Autauga):

S. J. R. 93. Be it resolved by the Senate of Alabama, the House of Representatives concurring: That the members of the Legislature do hereby commend the able Senator from the Thirtieth District, the Honorable Walter C. Givhan, for his efforts in behalf of agriculture, and his promotion of the passage of legislation beneficial to the further agricultural development of this State during the current session of the Legislature.

J. E. SPEIGHT,  
Secretary.

## SENATE MESSAGE

On motion of Mr. Hain the rules were suspended and the House concurred in and adopted the S. J. R. 93 set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Givhan:

S. J. R. 92. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING: That the Honorable Sam M. Engelhardt, Jr., the Senator from the Twenty-sixth District, is hereby commended for his energy, initiative and persistence in seeking to maintain the system of race relations under which for many years citizens of both races have lived harmoniously together in Alabama, and both races have prospered. His keen insight into the problems involved in the relation of the races and his ingenuity in working out the means of meeting these problems is outstanding. His activities along this line have been of inestimable value to the State and it is the hope of this body that his efforts will lead to a complete solution of the present problems.

J. E. SPEIGHT,  
Secretary.

## SENATE MESSAGE

The motion of Mr. Richardson to suspend the rules in order to bring up for immediate consideration the S. J. R. 92 set out in the above and foregoing Message from the Senate was lost. ,

Yeas 34; Nays 26.

## Yeas:

Mr. Speaker	Gist	Holliman	Martin
Bassett	Goodwyn	Hunt	Molette
Boyd	Grouby	Johnson (Elmore)	Nettles
Bradford	Hain	Kendall	Nolen
Branyon	Hall	Kirkham	Oakley
Callahan	Hardy	Love	Oden
Crook	Harrison	McLendon	Richardson
DeSear	Harvey	McNider	Wood
Franklin	Hodges		

—34

## Nays:

Messrs.	Ferrell	McKay	Shumate
Brassell	Haltom	Money	Simon
Broadfoot	Hare	Murphy	Speaks
Brown (Lamar)	Huddleston	Nice	Steagall
Brown (Lee)	Kelly	Payne	Stembridge
Dawkins	Killough	Roberts	Stokes
Dement	Locke (Choctaw)	Selman	

—26

And said resolution S. J. R. 92 was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 555. To provide for the organization, regulation, continuance and dissolution of corporation not for profit; to confer and limit their powers, rights and privileges and to impose their duties, obligations and responsibilities and; to provide penalties for the unauthorized assumption of corporate powers by all persons.

Also:

H. 125. To provide that persons in the service of the government of the United States of America, and their spouses, if living within the borders of the State of Alabama, shall be deemed to be residents of Alabama for the purpose of maintaining suits or actions in the Courts of Alabama; and to provide that the Act shall have retrospective as well as prospective effect.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 99. Naming H. B. 85.

Also:

H. J. R. 100. Naming H. B. 584.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 900. To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

J. E. SPEIGHT,  
Secretary.

## SENATE MESSAGE

On motion of Mr. Simon the House concurred in and adopted the Senate substitute for the bill, H. 900, said Senate substitute being as follows:

## SENATE SUBSTITUTE FOR H. B. 900

A BILL  
TO BE ENTITLED  
AN ACT

To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALABAMA:**

Section 1. The boundaries of the City of Mobile are hereby so altered, rearranged and fixed as to be as follows:

Commencing at the intersection of the West Harbor line of Mobile River and the Township line between Township 3 South and Township 4 South; thence eastwardly along said Township line to the point where the same intersects the east shore line of Blakeley Island on Polecat Bay; thence, southwardly along the meanders of the said east shore line of Blakeley Island and the north shore line of the Mobile Bay Bridge Causeway to a point on said north shore line of said causeway where said short line is intersected by the north-south coordinate line 336,000 of the Transverse Mercator Projection for Alabama West Zone as used officially on maps of Mobile Bay Area by the United States Corps of Engineers; thence south along said coordinate line to the point of its intersection with the South Boundary Line of Township 4 South; thence westwardly along said Township Line between Township 4 South and Township 5 South to the point where the same intersects the North right-of-way line of the Louisville & Nashville Railroad; thence Southwestwardly along the North right-of-way line of the Louisville & Nashville Railroad to the West bank of Dog River; thence Northwestwardly along the West bank of Dog River to the North bank of Bolton Branch; thence Northwestwardly along the North bank of Bolton Branch to the Range line between Range 1 West and Range 2 West of the St. Stephens Meridian; thence due North along said Range line to the Southwest corner of Section 6, Township 4 South, Range 1 West of the St. Stephens Meridian; thence East along the South line of Section 6, and continue East along the South line of Section 5 of said Township 4 South, Range 1 West, in a straight line to the Southeast line of Alley No. 1 (Prichard Lane); thence Northeastwardly along the South property line of Alley No. 1 (Prichard Lane) to the point where the same intersects the East property line of College Avenue; thence Southeastwardly along the East and North property lines of College Avenue to the North property line of Sweeney's Lane; thence Southwestwardly along the North property line of Sweeney's Lane to the West bank of Toulmin's Branch; thence Southeastwardly along the West bank of Toulmin's Branch to a point directly West of the South boundary line to the city of Prichard; thence Eastwardly, Northwardly and Eastwardly, along the boundary line of the City of Prichard to the Southeast corner of the Craftview Court subdivision; thence directly Eastwardly to the point of intersection of the West boundary line of West Highlands subdivision; thence Northwardly along the West Boundary line of West Highlands subdivision to the North boundary line of said subdivision; thence Eastwardly along the North boundary line of said subdivision to the West right-of-way line of Telegraph Road; thence Northwestwardly along said right-of-way line to the South right-of-way line of the Bay Bridge Road; thence Eastwardly along said South right-of-way line to the East right-of-way line of the Southern Railroad; thence Northwestwardly along the East right-of-way line of the Southern Railroad to the point where the same intersects the Township line between Township 3 South and Township 4 South; and thence Eastwardly to the point of beginning at the intersection of said Township line and the West Harbor line of Mobile River.

Section 2. This act shall be effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

Yeas 67; Nays 5.

**Yeas:**

Mr. Speaker  
Ashworth

Bassett  
Boyd

Brannan  
Branyon

Brassell  
Broadfoot

Brooks	Hain	Kirkham	Richardson
Brown (Lamar)	Hall	Law	Selman
Brown (Lee)	Haltom	Lee (Barbour)	Shumate
Callahan	Hanby	Locke (Choctaw)	Simon
Davis	Hardy	Love	Solomon
Dawkins	Harvey	McKay	Speaks
deGraffenried	Hawkins	McLendon	Steagall
Dement	Hodges	Martin	Stembridge
DeSear	Holliman	Mathison	Stokes
Dickson	Huddleston	Money	Taylor
Edwards (Escambia)	Hunt	Murphy	Tyson
Ferrell	Johnson (Elmore)	Nettles	Ward
Gist	Kaul	Nice	Windle
Goodwyn	Kendall	Nolen	Wood
Grouby	Killough	Payne	

—67

**Nays:**

Messrs.	Hare	Oakley	Roberts
Gilchrist	McNider		

—5

**MESSAGE FROM THE SENATE****Mr. Speaker:**

The Senate has concurred in and adopted the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. B. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

And said Bill, H. B. 206, together with the Conference report, is herewith returned to the House.

J. E. SPEIGHT,  
Secretary.

**MESSAGE FROM THE SENATE****Mr. Speaker:**

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 8. To amend further Section 15 of Title 30, Code of Alabama (1940), which relates to the remuneration of clerks of jury commissions, raising the per diem of such clerks from five to ten dollars a day.

Also:

S. 25. To establish the Alabama Stonewall Jackson Memorial Fund; to set forth the purposes for which such fund is to be established; to set up a board of trustees to administer the fund; to make an appropriation of twenty thousand dollars (\$20,000.00) to said fund.

Also:

S. 307. To amend Section 1 of Act No. 169 of the Regular Session of the Legislature of 1945, (General Acts of Alabama 1945, Page 285, Section 1, effective August 22, 1945), as amended, by including within the definition of a producer as is defined in Sub-section (d) of said Section any person who assembles or causes to be assembled any

forest products for shipment out of the State of Alabama in an un-manufactured condition.

Also:

S. 336. To amend Act No. 46, H. 36, approved April 7, 1955, which regulates the sale of eggs and provides for the inspection and grading thereof.

Also:

S. 338. To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

J. E. SPEIGHT,  
Secretary.

#### SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 88. Expressing appreciation and thanks to J. V. Jordan, State Budget Officer, for advice and assistance rendered the Legislature during current session.

J. E. SPEIGHT,  
Secretary.

#### SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 579. To amend Section 214 of Title 26, Code of Alabama 1940, as amended, the same relating to disqualification for unemployment compensation benefits.

Also:

H. 960. To provide further for financing the operation of schools and educational institutions; to authorize the Alabama Public Schools Corporation, organization of which is provided for in Article 10, Chapter 10, Title 52, Alabama Code of 1940, to borrow money in behalf of certain state educational agencies and institutions and in evidence of the borrowing to sell and issue interest bearing notes or warrants payable solely

out of the current appropriation from the Alabama State Educational Trust Fund to the agency or institution for which any such borrowing shall be made; to authorize said corporation to pledge for payment of any such note or warrant the proceeds of the current appropriation out of which such note or warrant is payable; to specify the priority in lien of any such notes and warrants; to specify the restrictions, conditions and limitations subject to which such notes and warrants may be issued and such pledges made; and to provide that such notes and warrants and the interest thereon shall be exempt from taxation in this state, and that such notes and warrants shall be eligible to secure deposits of state funds.

Also:

H. 179. To enable the State of Alabama to enter into a compact with other states for the purpose of promoting effective prevention and control of forest fires in the Southeastern Region of the United States by the development of integrated forest fire plans; to provide for mutual aid between such compacting states in fighting forest fires; to provide for a forest fire control compact administrator for the State of Alabama; to provide and establish an Advisory Committee of legislators and forestry representatives; to provide for the duties and travel expense of said committee.

Also:

H. 85. Relating to judicial procedure; providing for a three-judge special court to hear and determine applications for injunctions restraining the enforcement, operation, or execution of orders or decisions of the Alabama Public Service Commission.

Also:

H. 1012. Proposing an amendment to the Constitution of Alabama relating to the powers and authority of the court of county commissioners, board of revenue, or like governing body of Marion and Lamar counties.

Also:

H. J. R. 92. Relative to binding the Acts and Journals of the three previous Special Sessions with the Acts and Journals of the Regular Session.

Also:

H. J. R. 93. Relative to relieving the Secretary of the Senate, Clerk of the House, Secretary of State and doorkeepers of any responsibilities for the Codes and Supplements furnished the members of the Legislature.

Also:

H. J. R. 95. Relative to extending thanks to Mr. Herbert Nation for his efficient and capable manner in which he printed the documents of the Legislature.

Also:

H. J. R. 99. Naming H. B. 85.

Also:

H. 62. Authorizing the creation of a public corporation within any county in the State which shall have the power to construct, lease, own and operate projects for irrigation and other purposes, sell water and have certain other powers and duties; prescribing the means and fixing the responsibility for the issuance of permits to the Corporation for



construction and operation of projects and fixing the responsibility ~~regarding compliance with the terms of the permit, authorizing the~~ issuance of revenue bonds, and revenue refunding bonds, payable from the revenues of such projects, to pay the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no debt of the State or any political subdivision thereof shall be incurred in the exercise of any of the powers granted by this Act; granting such corporations the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

#### RESOLUTION

The following resolution was introduced:

By Mr. Richardson:

H. J. R. 101. WHEREAS, the State of Alabama expends the sum of \$50,000.00 annually for the control of pollution of the public streams, and whereas, it is to the interest of the people of Alabama that stream pollution be abated in the State of Alabama, and

WHEREAS, certain streams of the State of Alabama are in a most deplorable state,

Now therefore, be it resolved by the House, the Senate concurring, that a committee of three; consisting of two members of the House to be appointed by the Speaker and one member of the Senate to be appointed by the President of the Senate; be appointed to study the problem of pollution of public streams and laws pertaining thereto and to report their finding to the next session of the Legislature. Said members of the Committee are to elect from their number a chairman and are to meet as a committee at his call; for not more than thirty calendar days. Said members to receive their regular legislative compensation while so engaged in this work.

On motion of Mr. Richardson the rules were suspended and H. J. R. 101 was adopted.

#### BILLS ON THIRD READING RESUMED MOTION ADOPTED

The motion of Mr. Broadfoot to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 230, was adopted.

And the bill:

S. 230. To provide further for promoting, developing, constructing, maintaining, and operating harbors and ports within the State; to define and prescribe further the jurisdiction, powers, and authority of the state docks department,

Was read a third time at length and passed.

Yeas 53; Nays 17.

**Yeas:**

Mr. Speaker	Dement	Johnson (Elmore)	Oden
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Payne
Albea	Ferrell	Kelly	Pirkle
Ashworth	Gilchrist	Killough	Reynolds
Bassett	Gist	Law	Roberts
Bradford	Goodwyn	Lee (Lawrence)	Selman
Branyon	Gregory	Love	Shumate
Brassell	Haltom	McNider	Simon
Broadfoot	Hanby	Martin	Solomon
Brown (Lamar)	Hare	Meeks	Speaks
Callahan	Hawkins	Money	Steagall
Cox	Hodges	Murphy	Stembridge
Dawkins	Huddleston	Oakley	Wood
deGraffenried			

—53

**Nays:**

Messrs.	Harrison	Lee (Barbour)	Pruitt
Dickson	Holliman	Mathews	Taylor
Franklin	Kaul	Mathison	Thomas
Hain	Kirkham	Nettles	Windle
Hardy	Lackey		

—17

**RESOLUTION**

The following resolution was introduced:

By Mr. Murphy:

H. J. R. 102. WHEREAS, there exists a great need for a state college for South Alabama, and,

WHEREAS, the leading citizens and public educators have recognized the fact that Mobile County affords to the future college students of Alabama all of the opportunities of culture, background and wholesome surroundings in the pursuit of a college education, and,

WHEREAS, it is the opinion of this legislature that the best interests of education would be served by the location of a State College in Mobile County, Alabama,

Now, therefore, be it resolved by the House, the Senate concurring that the Superintendent of Education of Alabama, be appraised of the wishes of this legislature and that a State College be constructed in Mobile County Alabama, to meet the existing needs of education in South Alabama.

The motion of Mr. Murphy to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 102 was lost.

Yeas 25; Nays 42.

**Yeas:**

Mr. Speaker	Branyon	Broadfoot	Dawkins
Bradford	Brassell	Davis	Dement

Edwards (Escambia)	McNider	Oakley	<del>Simon</del>
<del>Hall</del>	<del>Mathews</del>	Oden	Solomon
Huddleston	Mathison	Roberts	Stembridge
Kelly	Murphy	Shumate	Tyson
Kendall			

—25

**Nays:**

Messrs.	Gregory	Killough	Pruitt
Albea	Grouby	Lackey	Richardson
Ashworth	Hain	Lee (Barbour)	Selman
Bassett	Haltom	Locke (Choctaw)	Speaks
Brown (Lee)	Hardy	Love	Steagall
Cox	Harvey	McClendon	Stokes
Crook	Hodges	McLendon	Taylor
Dickson	Hunt	Meeks	Thomas
Edwards (Jefferson)	Jenkins	Molette	Windle
Gilchrist	Johnson (Elmore)	Money	Wood
Gist	Kaul	Pirkle	

—42

And said resolution H. J. R. 102 was read and referred to the Standing Committee on Rules.

**MOTION LOST**

The motion of Mr. Pruitt to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 251, was lost.

Yeas 35; Nays 38.

**Yeas:**

Mr. Speaker	Hain	Lee (Barbour)	Pirkle
Albea	Hanby	Locke (Choctaw)	Pruitt
Ashworth	Hardy	McClendon	Ramey
Bradford	Harrison	McLendon	Richardson
Brannan	Harvey	McNider	Steagall
Brassell	Johnson (Tallapoosa)	Martin	Stokes
Brown (Lee)	Kaul	Meeks	Thomas
Crook	Kendall	Nettles	Windle
Gilchrist	Kirkham	Oakley	

—35

**Nays:**

Messrs.	Franklin	Kelly	Reynolds
Branyon	Gist	Law	Roberts
Brewer	Grouby	Lee (Lawrence)	Selman
Broadfoot	Hall	Love	Shumate
Brown (Lamar)	Haltom	Mathews	Simon
Cox	Hare	Mathison	Solomon
Davis	Hawkins	Merrill	Speaks
Dawkins	Hodges	Money	Taylor
Dement	Huddleston	Murphy	Tyson
Edwards (Escambia)	Johnson (Elmore)	Nice	

—38

**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 166. To create and establish a State Fire College, to provide for an Advisory Committee, an annual training session, and appropriations for carrying out the provisions of the Act.

Also:

H. 857. To amend further Section 425 of Title 51, Code of Alabama (1940), as amended, which relates to the excise tax on financial institutions, so as to allow financial institutions to carry back their net operating losses to apply as a deduction against prior income, and to deduct from succeeding years' income the excess loss, if any, not absorbed thereby.

Also:

H. 714. For the relief of S. H. Park of Tuscaloosa: To make an appropriation of highway department funds to reimburse S. H. Park for sums expended for medical care and treatment on account of personal injuries suffered by him on or about October 23, 1950, while the said S. H. Park was acting within the line and scope of his employment with the State Highway Department.

Also:

H. 443. To amend Section 587 of Title 37, Code of Alabama (1940), which relates to appeals from recorder's court.

J. E. SPEIGHT,  
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Also:

H. J. R. 100. Relative to naming House Bill 584.

Also:

H. 302. Defining blind persons, blind-made products and services; prohibiting the sale, distribution, or exhibition of any products or services which are purported to be blind-made other than as herein defined; and providing a penalty.

Also:

H. 303. To authorize and provide for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political sub-divisions by blind persons, for the purpose of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self supporting.

Also:

H. 304. Relating to the blind and visually handicapped; authorizing the Adult Blind Department of the Alabama Institute for Deaf and Blind to maintain, develop and supervise work shops and home industries

for blind and visually handicapped persons, and to act as sales agent ~~for the products made by blind and visually handicapped persons and~~ for services of such persons; requiring state departments, agencies and institutions to purchase articles produced by the blind and services rendered by the blind under the supervision of the Adult Blind Department of the Alabama Institute for Deaf and Blind; prescribing the procedure for the requisitioning, purchasing and supply of such articles and services and authorizing political subdivisions of the State to purchase blind-made articles and to procure the services of the blind and visually handicapped in the same manner that state departments, agents and institutions procure them.

Also:

H. 867. To make an appropriation for the use of the Agricultural Center Board in the purchase of certain equipment.

Also:

H. 124. To provide that persons in the service of the government of the United States and their spouses, if living within the borders of the State of Alabama at the time of their death, shall be deemed to be residents and inhabitants of Alabama for purposes of general probate jurisdiction.

Also:

H. 336. To amend Section 1 of Act No. 689 of the Legislature of 1953, entitled "An Act relating to highways; to authorize the State Highway Department to construct, repair and maintain roads on land owned by the State and designated as the Agricultural Center on which the State Coliseum Building is located" approved September 17, 1953, General Acts of 1953, page 941, by authorizing the State Highway Department to construct roads, driveways, walkways and vehicular parking areas on the property of the Agricultural Center.

Also:

H. 555. To provide for the organization, regulation, continuance and dissolution of corporations not for profit; to confer and limit their powers, rights and privileges and to impose their duties, obligations and responsibilities and; to provide penalties for the unauthorized assumption of corporate powers by all persons.

Also:

H. 125. To provide that persons in the service of the government of the United States of America, and their spouses, if living within the borders of the State of Alabama, shall be deemed to be residents of Alabama for the purpose of maintaining suits or actions in the Courts of Alabama; and to provide that the Act shall have retrospective as well as prospective effect.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

## RECESS

On motion of Mr. Windle the House recessed until 10:00 o'clock this evening.

Yeas 50; Nays 28.

**Yeas:**

Mr. Speaker	Franklin	Kirkham	Nice
Adams	Gilchrist	Law	Oakley
Ashworth	Gregory	McClendon	Oden
Bradford	Hall	McLendon	Pirkle
Branyon	Hanby	McNider	Richardson
Brooks	Hare	Martin	Roberts
Brown (Lamar)	Harrison	Mathews	Selman
Callahan	Hawkins	Mathison	Simon
Cox	Hunt	Meeks	Speaks
Dawkins	Jenkins	Merrill	Stembridge
deGraffenried	Johnson (Elmore)	Murphy	Tyson
Dement	Johnson (Tallapoosa)	Nettles	Windle
Edwards (Escambia)	Kelly		

—50

**Nays:**

Messrs.	Faulk	Hardy	Money
Albea	Ferrell	Hodges	Nolen
Bassett	Gist	Huddleston	Reynolds
Boyd	Goodwyn	Killough	Solomon
Brannan	Grouby	Lee (Lawrence)	Summerlin
Brassell	Hain	Locke (Choctaw)	Taylor
Brown (Lee)	Haltom	Love	Wood
Dickson			

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The House reconvened. The Speaker called the House to order.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 871. To amend further Section 390 of Title 14, Code of Alabama (1940), which relates to the compensation of the State Toxicologist.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 1006. To provide for the taking of depositions of witnesses or parties upon oral examination for discovery of for use as evidence; to prescribe the scope of the examination, use of such depositions, effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; and to prescribe penalties for the failure of such person to appear for such examination.

Also:

H. 688. To amend Section 2 of Act No. 669, General Acts of Alabama of 1939 and generally called the Alabama Motor Carrier Act, General Acts of Alabama 1939, page 1066 et seq., approved July 5, 1940, and said Act as amended, by providing that the exemption contained in subsection A (3), of Section 2 of said Act, supra, relating to motor vehicles while used in the transportation of property when the person furnishing the transportation is legally and regularly engaged in the business of selling such property, and is the owner and has the legal title to the motor vehicle involved.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 101. Appointing Joint Committee to study problem of pollution of streams to report to next session of Legislature.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 194. To authorize county governing bodies to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; prescribing the procedure for levying and collecting such assessments; and providing fees or allowances to officers performing duties relative to the assessing and collecting of such assessments.

Also:

H. 294. To amend: Section 713 of Article 5 of Chapter 14 of Title 7 of the Code of Alabama of 1940.

J. E. SPEIGHT,  
Secretary.

#### COMMITTEE APPOINTED

In accordance with the provisions of H. J. R. 101, the Speaker of the House appointed as a Committee on part of the House Messrs. Richardson and deGraffenried.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 253. To amend Section 365 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Also:

H. 164. To provide for the appointment of volunteer forest fire wardens by the Director of the Department of Conservation; to set forth

the duties of such wardens and to further provide for the issuance of equipment to them and the compensation to be received by such wardens.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 424. To amend Section 1 of Act 515, approved, July 9, 1945 as amended, which relates to the Employees' Retirement System of Alabama.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Hawkins the House concurred in and adopted the Senate amendment to the bill, H. 424, said Senate amendment being as follows:

#### FINANCE AND TAXATION COMMITTEE AMENDMENT TO H. B. 424

Amend Section 1 (sub-section 14) to read as follows:

"Earnable compensation" shall mean the full rate of compensation, excluding that part of his salary above \$4200.00, that would be payable to an employee if he worked the full normal working time. In cases where compensation includes maintenance, the Board of Control shall fix the value of that part of the compensation not paid in money.

Yeas 59; Nays 4.

#### Yeas:

Mr. Speaker	Faulk	Huddleston	Money
Adams	Ferrell	Hunt	Nice
Albea	Franklin	Jenkins	Nolen
Ashworth	Gist	Johnson (Elmore)	Reynolds
Boyd	Goodwyn	Johnson (Tallapoosa)	Roberts
Branyon	Grouby	Kelly	Selman
Broadfoot	Hain	Kendall	Shumate
Brown (Lamar)	Hall	Law	Solomon
Callahan	Haltom	Lee (Barbour)	Speaks
Cornett	Hanby	Lee (Lawrence)	Steagall
Davis	Hardy	Locke (Choctaw)	Stembridge
Dawkins	Hare	Love	Thomas
deGraffenried	Harrison	McClendon	Vacca
Dement	Harvey	Martin	Windle
Edwards (Escambia)	Hawkins	Meeks	

—59

Nays: Messrs. Dickson, Killough, Richardson, Taylor.

—4

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, To-wit:



H. 166. To create and establish a State Fire College, to provide ~~for an Advisory Committee, an annual training session, and appropriations~~ for carrying out the provisions of the Act.

Also:

H. 443. To amend Section 587 of Title 37, Code of Alabama (1940), which relates to appeals from recorder's court.

Also:

H. 714. For the relief of S. H. Park of Tuscaloosa: To make an appropriation of highway department funds to reimburse S. H. Park for sums expended for medical care and treatment on account of personal injuries suffered by him on or about October 23, 1950, while the said S. H. Park was acting within the line and scope of his employment with the State Highway Department.

Also:

H. 857. To amend further Section 425 of Title 51, Code of Alabama (1940), as amended, which relates to the excise tax on financial institutions, so as to allow financial institutions to carry back their net operating losses to apply as a deduction against prior income, and to deduct from succeeding years' income the excess loss, if any, not absorbed thereby.

Also:

H. 871. To amend further Section 390 of Title 14, Code of Alabama (1940), which relates to the compensation of the State Toxicologist.

Also:

H. 900. To alter, rearrange and fix the boundaries of the City of Mobile in the State of Alabama.

Also:

H. 1006. To provide for the taking of depositions of witnesses or parties upon oral examination for discovery of for use as evidence; to prescribe the scope of the examination, use of such depositions, effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; and to prescribe penalties for the failure of such person to appear for such examination.

Also:

H. 688. To amend Section 2 of Act No. 669, General Acts of Alabama of 1939 and generally called the Alabama Motor Carrier Act, General Acts of Alabama 1939, page 1066 et seq., approved July 5, 1940, and said act as amended, by providing that the exemption contained in Subsection A (3), of Section 2 of said Act, supra, relating to motor vehicles while used in the transportation of property when the person furnishing the transportation is legally and regularly engaged in the business of selling such property, and is the owner and has the legal title to the motor vehicle involved.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at

length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 480. Proposing an amendment of the Constitution of 1901 authorizing the levying of special taxes for public hospital purposes.

Also:

H. 115. Relating to grand juries; providing that if the foreman of a grand jury is discharged or excused for any cause after the jury is sworn or charged, the court may appoint another in his place.

J. E. SPEIGHT,  
Secretary.

### BILLS ON THIRD READING RESUMED MOTION LOST

The motion of Mr. Roberts to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 130, was lost.

Yeas 32; Nays 33.

#### Yeas:

Messrs.	Gilchrist	Hodges	Nettles
Albea	Goodwyn	Huddleston	Nice
Ashworth	Grouby	Johnson (Elmore)	Nolen
Broadfoot	Hain	Kirkham	Oakley
Brown (Lee)	Hall	Law	Reynolds
Cornett	Haltom	Lee (Lawrence)	Richardson
Dawkins	Hanby	McNider	Roberts
Dement	Hare	Meeks	Vacca
Edwards (Escambia)			

—32

#### Nays:

Mr. Speaker	Franklin	Love	Shumate
Bradford	Gist	McClendon	Simon
Branyon	Hardy	McKay	Speaks
Brooks	Hunt	McLendon	Steagall
Callahan	Jenkins	Mathews	Stembridge
Davis	Johnson (Tallapoosa)	Murphy	Stokes
deGraffenried	Killough	Payne	Taylor
Dickson	Locke (Choctaw)	Selman	Tyson
Ferrell			

—33

And the bill:

S. 30. Proposing an amendment to the Constitution relative to the abridgment of the terms of office of state, county or municipal officers, by the abolition of the office or otherwise.

Was read a third time at length and lost.

~~Yeas 52, Nays 31.~~**Yeas:**

Messrs.	Edwards (Escambia)	Hanby	Meeks
Albea	Faulk	Hardy	Nice
Ashworth	Franklin	Hawkins	Nolen
Boyd	Gilchrist	Kaul	Pruitt
Bradford	Goodwyn	Kelly	Reynolds
Brassell	Hain	McClendon	Richardson
Brown (Lee)	Hall	McNider	Roberts
Cornett	Haltom	Martin	Vacca
deGraffenried			

—32

**Nays:**

Mr. Speaker	Ferrell	Killough	Shumate
Branyon	Gist	Law	Simon
Brooks	Gregory	Locke (Choctaw)	Speaks
Brown (Lamar)	Grouby	Love	Steagall
Davis	Hare	Money	Stembridge
Dawkins	Hodges	Murphy	Taylor
Dement	Huddleston	Oden	Tyson
Dickson	Johnson (Elmore)	Selman	

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**S. 52 INDEFINITELY POSTPONED**

On motion of Mr. Richardson, the bill, S. 52, was indefinitely postponed.

And the bill:

S. 218. To amend further Section 429 of Title 51, Code of Alabama (1940), which relates to the tax on financial institutions.

Was read a third time at length and passed.

Yeas 36; Nays 29.

**Yeas:**

Mr. Speaker	Franklin	Kaul	Nettles
Adams	Gilchrist	Kirkham	Nice
Albea	Grouby	Law	Nolen
Bradford	Hain	Lee (Barbour)	Oakley
Broadfoot	Haltom	Locke (Perry)	Pirkle
Davis	Hardy	Love	Roberts
Dement	Hawkins	McClendon	Rodgers
Edwards (Escambia)	Huddleston	McNider	Thomas
Ferrell	Johnson (Tallapoosa)	Mollette	Windle

—36

**Nays:**

Messrs.	Hare	McLendon	Simon
Brooks	Hodges	Martin	Solomon
Cornett	Hunt	Mathews	Speaks
Cox	Jenkins	Murphy	Steagall
deGraffenried	Johnson (Elmore)	Pruitt	Stembridge
Dickson	Kelly	Selman	Taylor
Faulk	Killough	Shumate	Tyson
Hanby	Locke (Choctaw)		

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## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 815. To provide for the appointment by the Governor of a press secretary, and to fix his compensation.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 334. To make an appropriation of Nine Thousand Five Hundred Dollars (\$9,500.00) from monies in the State Treasury not otherwise appropriated to be used for control and eradication of the White Fringed Beetle.

Also:

H. 890. To provide for the election of an additional member of the board of control of the Teachers' Retirement System.

J. E. SPEIGHT,  
Secretary.

## RECESS

On motion of Mr. Brown (Lamar) the House recessed until 11:00 o'clock this evening.

Yeas 46; Nays 27.

## Yeas:

Mr. Speaker	Dawkins	Hodges	Selman
Albea	deGraffenried	Huddleston	Shumate
Ashworth	Dement	Kaul	Simon
Bradford	Gregory	Kelly	Steagall
Brannan	Hain	Kendall	Stembridge
Branyon	Hall	Killough	Stokes
Broadfoot	Haltom	Love	Summerlin
Brooks	Hanby	Murphy	Taylor
Brown (Lamar)	Hardy	Nice	Tyson
Callahan	Hare	Oden	Vacca
Cornett	Harrison	Payne	Windle
Cox	Hawkins		

—46

## Nays:

Messrs.	Gilchrist	Lee (Lawrence)	Nolen
Adams	Gist	Locke (Choctaw)	Oakley
Boyd	Grouby	McClendon	Pruitt
Davis	Hunt	McNider	Reynolds
Edwards (Escambia)	Johnson (Elmore)	Martin	Richardson
Ferrell	Johnson (Tallapoosa)	Money	Solomon
Franklin	Kirkham	<b>Nettles</b>	Speaks

—27

~~The House reconvened. The Speaker called the House to order.~~

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 676. To amend Sections 34 and 100 of Title 11, which relate to the fees and allowances of sheriffs.

Also:

H. 638. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

J. E. SPEIGHT,  
Secretary.

### POINT OF PERSONAL PRIVILEGE

On the request of Mr. Selman the following was ordered inserted in the Journal.

Mr. Speaker, Members of the House of Representatives, I rise for a point of personal privilege.

There appeared an article on the editorial page of the August 29, 1955, issue of the Alabama Journal, a daily paper published in Montgomery, Ala., titled, "What's the matter with Walker?". The article then proceeds to answer this question upon a very non-factual and a false basis. It is to set the record straight, that I now rise.

You are all aware that from the beginning of the present century until after the end of World War II, Walker County has mostly been a one industry county and that one industry has been mining coal. You are also probably aware that the coal mining industry in Walker County has been largely a marginal operation due to the thinness of our coal seams, the difficulty of mining operations and the keen competition from thicker seam coal more accessible in our sister states, and competition from liquid fuels.

After World War II, the demand for coal was not nearly so great; the railroads converted to other fuels and that market, along with that of other converting industries, was lost to the Warrior Coal Field, of which Walker County is a part. Domestic heat in your homes was formerly dominated by coal but has lost out to other fuels that are alleged to be cleaner and easier to operate if not more economical.

Due primarily to the foregoing the majority of the coal mines in Walker County can no longer operate and their pit mouths and machinery stand idle, and many Walker County Citizens are unable to find employment.

In the period of time since the end of World War II and the decline of the coal market, the people of Walker County have made a valiant effort to convert to other industries and to attract new industry into Walker County. The citizens of Walker County have spent thousands of dollars and years of time and much effort on this project. No avenue of approach has been overlooked. One such avenue of approach was to get an appropriation by the State to erect a building for a poultry processing plant in Walker County. The unemployed coal miners in Walker County have leveled off their hillside back yards and built

chicken houses upon them and are now producing broilers on a large scale and a processing plant is badly needed in Walker County. Hauling live broilers a long distance to market results in much loss to the Walker County producers and is slowing the growth of this new industry in Walker County.

The writer of the Alabama Journal Article calls such a project socialistic and is highly critical of same and intimates that the requested appropriation was made because, "Walker simply does not think right politically or ethically." I now call the article writer's attention to the fact that in 1947 the State of Alabama constructed such a processing plant in the home county of the Alabama Journal. This plant was built with state tax payers funds. I am not aware of any article appearing in the Alabama Journal criticizing this Montgomery plant and asking what was the matter with Montgomery County or accusing Montgomery County of not thinking right politically or ethically, nor was the point raised that relative few broilers are produced in the Montgomery area whereas they are produced in large numbers in Walker County.

Walker County is not begging. Walker County is working. Since the decline of our coal mines Walker County has attracted a number of small industries. The people of Walker County appreciate these industries and are working with them and for them. Management and labor relations in Walker County are the best in the state. In the recent state wide Southern Bell Telephone strike there was less unrest in Walker County than any county affected in the state. The record bears out this fact. The people of Walker County are a proud people and they have been cut to the quick by this unfair, false and dishonest editorial.

What is the matter with Walker County? Outside of natural economic factors our greatest difficulty is editorials and stories in our great daily papers such as the one to which I address my remarks. I greatly doubt that the gentlemen who wrote this article has any personal knowledge of Walker County such as might be obtained by living there or frequent visits. Walker County has received in the past much unfavorable publicity in the great daily newspapers. The bulk of this publicity has been unwarranted, biased and totally unfair. The article to which I address my remarks is not only unfortunate for Walker County. It is unfortunate for the great State of Alabama. All Alabama needs industry and is trying to attract same and an article such as that appearing in the Alabama Journal can only alienate industry for the entire state. The writer of the article has done his state and the people of Alabama a great disservice. Leaders of industry from out of the state reading this article will not likely bother to check its falsity and will fear to come into this state, feeling that if such is true in Walker County it must unquestionably be true in Montgomery County and various other Counties of the state where state financed processing plants and markets are already in operation.

Since the article makes such a violent and unwarranted attack upon his Excellency, James E. Folsom, the Governor of the state of Alabama, it is apparent that the writer hates the Governor more than he loves the State of Alabama and the article writer is willing to do harm to the people of the State of Alabama in an effort to be unkind to the Governor.

The article writer's comment that Walker County, "needs Christian missionary work", is not entirely lost upon us. However, we prefer that we receive our Christian missionary teaching from some one other than the article writer. We have 134 organized churches in Walker County. We believe that our church membership and the devoutness of our members compares favorably with that of any county in our great state, but we in Walker County are not satisfied with this and are trying to live closer to God every day. The voters of Walker County

have never voted in favor of intoxicating beverages. I suggest that the writer of the article examine the molt in his own eye.

In conclusion, I want to thank this legislature for the kindness it has shown the people of Walker County. We appreciate your repealing the coal tonnage tax and know that you did same to aid the proud and good people of the Warrior Coal Field who are in distress. We appreciate your efforts in the Special Session in regard to the out of state coal inspection fee bill, which contributed so much to the providing of rail unloading facilities for coal at Pride Steam Plant, so that Alabama coal could compete there with out of state coal at this market. I am proud to be from Walker County and to be a member of the delegation representing a great county in the Legislature of the sovereign state of Alabama. The people of Walker County welcome you; they welcome industry and they are a fine, capable people, willing to do hard work and I am sure that you will not allow this false, malicious, and dishonest editorial appearing in the Alabama Journal to change your good opinion of the fine people of Walker County. I thank you.

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 194. To authorize county governing bodies to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; prescribing the procedure for levying and collecting such assessments; and providing fees or allowances to officers performing duties relative to the assessing and collecting of such assessments.

Also:

H. 294. To amend: Section 713 of Article 5 of Chapter 14 of Title 7 of the Code of Alabama of 1940.

Also:

H. 164. To provide for the appointment of volunteer forest fire wardens by the Director of the Department of Conservation; to set forth the duties of such wardens and to further provide for the issuance of equipment to them and the compensation to be received by such wardens.

Also:

H. 253. To amend Section 365 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Also:

H. 115. Relating to grand juries; providing that if the foreman of a grand jury is discharged or excused for any cause after the jury is sworn or charged, the court may appoint another in his place.

Also:

H. 424. To amend Section 1 of Act 515, approved, July 9, 1945 as amended, which relates to the Employees' Retirement System of Alabama.

Also:

H. 480. Proposing an amendment of the Constitution of 1901 authorizing the levying of special taxes for public hospital purposes.

Also:

H. J. R. 101. Relative to appointing a Legislative committee to study the problem of pollution of public streams.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 230. To provide further for promoting, developing, constructing, maintaining, and operating harbors and ports within the State; to define and prescribe further the jurisdiction, powers, and authority of the state docks department.

J. E. SPEIGHT,  
Secretary.

#### SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 93. Commending Senator Walter Givhan for his efforts in behalf of promotion of legislation to further agricultural development in the State.

J. E. SPEIGHT,  
Secretary.

#### SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:



~~H. 639. To validate and declare legal acts and proceedings heretofore done or taken to incorporate gas districts under Act No. 762 of the General Acts of 1951 of Alabama, approved September 11, 1951, entitled "An Act to provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts shall be tax exempt; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama", notwithstanding irregularities in such acts or proceedings.~~

Also:

H. 339. To amend Section 363 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to authorize specifically any municipality in the state to construct, purchase, operate, maintain, enlarge, extend and improve a water supply plant and system, or any part or parts thereof, whether located within or without or partly within and partly without the corporate limits of such municipality, to authorize the delivery and sale of water therefrom, and to provide that any municipality in the state may lawfully expend funds for any actions authorized to be taken by it in said section.

Also:

H. 317. To grant immunity from tort liability to municipal fire departments in acts performed beyond the corporate limits and police jurisdiction of cities and towns.

Also:

H. 324. To amend Section 97 of Title 37 of the Code of 1940 relating to government of cities; recorded, election, salary.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 145. To further provide for the public interest by granting to Housing Authorities and Municipalities certain additional power and authority and to undertake additional activities for the elimination and for the prevention of the development or spread of slums and blight, including functions with respect to rehabilitation and conservation for the restoration and removal of blighted, deteriorated, or deteriorating areas; to provide that all the rights, powers, privileges, and immunities of public or private bodies or agencies applicable with respect to re-development projects shall be applicable with respect to such additional activities; to authorize the governing body of the municipality or such public officer or public body as it may designate, to prepare a workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slums and urban blight in the community; and to authorize housing authorities to acquire and dispose of undeveloped vacant land where certain conditions of blight exist or where such action is essential to the clearance, redevelopment, rehabilitation or conservation of slum or blighted areas or to a general slum clearance or urban renewal program of the community.

Also:

H. 146. To amend Sec. 1 of Act 614, General Assembly Acts of 1939, approved July 10, 1940 (Chapter 7, Title 25, Code of Alabama 1940).

Also:

H. 147. To validate and declare legal the creation and establishment of housing authorities, all bonds, notes, contracts, agreements, obligations and undertakings of said housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto, and to declare said housing authorities bodies corporate and politic.

J. E. SPEIGHT,  
Secretary.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 334. To make an appropriation of Nine Thousand Five Hundred Dollars (\$9,500.00) from monies in the State Treasury not otherwise appropriated to be used for control and eradication of the White Fringed Beetle.

Also:

H. 815. To provide for the appointment by the Governor of a press secretary, and to fix his compensation.

Also:

H. 890. to provide for the election of an additional member of the board of control of the Teachers' Retirement System.

Also:

H. 638. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

H. 676. To amend Sections 34 and 100 of Title 11, which relate to the fees and allowances of sheriffs.

Also:

H. 317. To grant immunity from tort liability to municipal fire departments in acts performed beyond the corporate limits and police jurisdiction of cities and towns.

Also:

H. 324. To amend Section 97 of Title 37 of the Code of 1940 relating to government of cities; recorder, election, salary.

Also:

H. 339. To amend Section 363 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to authorize specifically any municipality in the state to construct, purchase, operate, maintain, enlarge, extend and improve a water supply plant and system, or any part or parts thereof, whether located within or without or partly within and partly without the corporate limits of such municipality, to authorize the delivery and sale of water therefrom, and to provide that any municipality in the state may lawfully expend funds for any actions authorized to be taken by it in said section.

Also:

H. 639. To validate and declare legal acts and proceedings heretofore done or taken to incorporate gas districts under Act No. 762 of the General Acts of 1951 of Alabama, approved September 11, 1951, entitled "An Act to provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts shall be tax exempt; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama", notwithstanding irregularities in such acts or proceedings.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:  
By Mr. Reeves:

S. J. R. 96. RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that H. B. No. 676, which has passed both Houses, be known and designated as "The Harrison, Reeves, Dement, Locke (Choctaw), Lee (Barbour), Ramey, McClen-don (Bullock), Ward, Brown (Lee), Thomas, Brannan, Brassell, and Johnson (Tallapoosa) Bill."

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Thomas the rules were suspended and the House concurred in and adopted the S. J. R. 96 set out in the above and foregoing Message from the Senate.

#### MOTION TO RECONSIDER

The motion of Mr. Johnson (Tallapoosa) to lay on the table the motion of Mr. Dawkins to reconsider the vote by which the bill, S. 218, was passed, was lost.

And the motion of Mr. Dawkins to reconsider the vote by which the bill, S. 218, was passed, was adopted.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 189. To amend Section 191, Title 51, Code of Alabama (1940), relating to the compensation of tax collectors.

J. E. SPEIGHT,  
Secretary.

#### SENATE MESSAGE

On motion of Mr. Nolen the House concurred in and adopted the Senate amendment to the bill, H. 189, said Senate amendment being as follows:

#### COMMITTEE AMENDMENT TO HOUSE BILL 189

Amend House Bill 189 by adding at the end of Section 1 of said Bill the following words and figures:

~~"In all counties having a population of 225,000 or more inhabitants according to the last or any subsequent decennial federal census the License Commissioner, Director of Revenue or other official in such counties now charged with the duty of collecting ad valorem taxes due the state and county on motor vehicles shall continue to collect said ad valorem tax due the state and county on motor vehicles and all fees, charges and commissions for collecting said ad valorem tax on motor vehicles provided in Section 1 of this Act to be paid to Tax Collector shall be paid to said License Commissioner, Director of Revenue or other official now charged with the collection of said ad valorem tax on motor vehicles in such county and he shall pay said commissions into the county treasury and all commissions collected by the Tax Collector in such counties who is on a salary basis shall be paid into the county treasury and said commissions so collected and paid into the county treasury shall be the property of the county."~~

Yeas 67; Nays 1.

**Yeas:**

Mr. Speaker	Faulk	Hunt	Nice
Ashworth	Ferrell	Jenkins	Nolen
Bassett	Franklin	Johnson (Elmore)	Pirkle
Bradford	Gilchrist	Johnson (Tallapoosa)	Pruitt
Branyon	Gist	Kaul	Ramey
Brewer	Goodwyn	Kelly	Richardson
Broadfoot	Gregory	Kirkham	Roberts
Brown (Lamar)	Grouby	Lackey	Selman
Callahan	Hall	Law	Shumate
Cox	Haltom	Lee (Barbour)	Steagall
Davis	Hanby	Locke (Choctaw)	Stembridge
Dawkins	Hardy	McClendon	Summerlin
deGraffenried	Hare	McKay	Thomas
Dement	Harrison	Martin	Vacca
Dickson	Hawkins	Mathews	Windle
Edwards (Escambia)	Hodges	Meeks	Wood
Edwards (Jefferson)	Huddleston	Murphy	

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**Nay:** Mr. McNider.

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**MESSAGE FROM THE SENATE**

**Mr. Speaker:**

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 816. To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. 1, p. 167).

**J. E. SPEIGHT,**  
Secretary.

**SENATE MESSAGE**

On motion of Mr. Hawkins the House concurred in and adopted the Senate substitute for the bill, H. 816, said Senate substitute being as follows:

**SUBSTITUTE FOR H. B. 816**

**A BILL  
TO BE ENTITLED  
AN ACT**

To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. 1, p. 167).

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Section 1 of Act No. 4, H. 6, approved January 25, 1951, entitled "An Act relating to the salaries and compensation payable to certain non-elective state officers" (Acts of 1950-51, Vol. 1, p. 167), is amended to read as follows:

"The salary of each of the several state officers named in this section shall be fixed by the Governor, not to exceed the amount herein set forth:

"For the Director, Highway Department, \$10,000 per annum;

"For the Director, Department of Conservation, \$10,000 per annum;

"For the Director, Department of Finance, \$10,000 per annum;

"For the Commissioner of Revenue, \$10,000 per annum;

"For the Governor's Legal Adviser, \$10,000 per annum;

"For the Governor's Secretary, \$10,000 per annum;

"For the Governor's Press Secretary, \$10,000 per annum;

"For the Adjutant General, \$9,000 per annum;

"For the Director, Department of Labor, \$9,000 per annum;

"For the Director, Department of Civil Defense, \$9,000 per annum;

"For the Assistant Administrator of the Alabama Alcoholic Beverage Control Board, \$9,000 per annum;

"For the Director, Department of Publicity & Information, \$9,000 per annum;

"For the Director, Department of Insurance, \$9,000 per annum;

"The salary of one Executive assistant for each of the following departments shall be fixed by the chief executive officer of the department, with the approval of the Governor, at an amount not to exceed nine thousand dollars per annum: 1) Department of Finance, 2) Department of Conservation, 3) Highway Department, 4) Revenue Department, 5) Department of Public Safety, 6) Department of Industrial Relations, 7) Department of Education and 8) For the Administrative Assistant to the Director of the Department of Labor and the Deputy Adjutant General not to exceed \$8,000 to be fixed by the head of the Department with the approval of the Governor.

Section 2. Section 2 of said Act No. 4, H. 6, is amended to read as follows.

"The salary of each of the state officials named in this section shall be the amount as herein set forth, and no more:

"For each member of the Board of Pardons and Paroles, \$7,500 per annum;

"For the Director, Personnel Department, \$9,000 per annum;

"For the State Service Commissioner (Director, Department of Veterans' Affairs), \$9,000 per annum;

"For the Director, Legislative Reference Service, \$10,000 per annum."

"For the assistant Chief Examiner of Public Accounts, \$9,000.00 per annum."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 66; Nays 0.

**Yeas:**

Mr. Speaker	Ferrell	Jenkins	Nice
Albea	Franklin	Johnson (Elmore)	Nolen
Ashworth	Gilchrist	Johnson (Tallapoosa)	Pirkle
Bradford	Gist	Kelly	Pruitt
Branyon	Goodwyn	Kirkham	Richardson
Brewer	Gregory	Lackey	Roberts
Brown (Lamar)	Grouby	Law	Selman
Burkhalter	Hall	Lee (Barbour)	Shumate
Callahan	Haltom	Locke (Choctaw)	Simon
Cox	Hanby	McClendon	Speaks
Davis	Hardy	McKay	Steagall
Dawkins	Hare	McNider	Stembridge
deGraffenried	Harrison	Martin	Thomas
Dement	Hawkins	Mathews	Tyson
Dickson	Hodges	Meeks	Vacca
Edwards (Escambia)	Huddleston	Murphy	Windle
Faulk	Hunt		

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**MESSAGE FROM THE SENATE**

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 190. To amend Section 30, Title 51, Code of Alabama (1940), relating to the compensation of tax assessors.

J. E. SPEIGHT,  
Secretary.

**SENATE MESSAGE**

On motion of Mr. Nolen the House concurred in and adopted the Senate amendment to the bill, H. 190, said Senate amendment being as follows:

**COMMITTEE AMENDMENT TO HOUSE BILL NO. 190**

Amend House Bill 190 by adding at the end of Section 1 of said Bill the following words and figures:

"In all counties having a population of 225,000 or more inhabitants according to the last or any subsequent decennial federal census the License Commissioner, Director of Revenue or other official now charged with the duty of assessing motor vehicles for ad valorem taxation shall continue to assess said motor vehicles for state and county ad valorem tax and all fees, charges and commissions for assessing state and county ad valorem tax on motor vehicles provided in Section 1 of this Act to be paid to Tax Assessor shall be paid to said License Commissioner, Director of Revenue or other official now charged with the assessing of motor vehicles for ad valorem taxes in such counties and

he shall pay said commissions into the county treasury and all commissions collected by the Tax Assessor in such counties who is on a salary basis shall be paid into the county treasury and said commissions so collected and paid into the county treasury shall be the property of the county.

Yeas 68; Nays 0.

**Yeas:**

Mr. Speaker	Dickson	Hawkins	Martin
Adams	Edwards (Escambia)	Hodges	Mathews
Ashworth	Edwards (Jefferson)	Huddleston	Mathison
Boyd	Faulk	Hunt	Murphy
Bradford	Ferrell	Jenkins	Nice
Branyon	Franklin	Johnson (Elmore)	Nolen
Brewer	Gilchrist	Johnson (Tallapoosa)	Pirkle
Broadfoot	Gist	Kaul	Pruitt
Brown (Lamar)	Goodwyn	Kelly	Ramey
Brown (Lee)	Gregory	Kirkham	Richardson
Burkhalter	Grouby	Lackey	Selman
Callahan	Hall	Law	Shumate
Cox	Haltom	Lee (Barbour)	Simon
Davis	Hanby	Locke (Choctaw)	Steagall
Dawkins	Hardy	McClendon	Stembridge
deGraffenried	Hare	McKay	Thomas
Dement	Harrison	McNider	Vacca

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**REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS**

**Mr. Speaker:**

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 145. To further provide for the public interest by granting to Housing Authorities and Municipalities certain additional power and authority and to undertake additional activities for the elimination and for the prevention of the development or spread of slums and blight, including functions with respect to rehabilitation and conservation for the restoration and removal of blighted, deteriorated, or deteriorating areas; to provide that all the rights, powers, privileges, and immunities of public or private bodies or agencies applicable with respect to redevelopment projects shall be applicable with respect to such additional activities; to authorize the governing body of the municipality or such public officer or public body as it may designate, to prepare a workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slums and urban blight in the community; and to authorize housing authorities to acquire and dispose of undeveloped vacant land where certain conditions of blight exist or where such action is essential to the clearance, redevelopment, rehabilitation or conservation of slum or blighted areas or to a general slum clearance or urban renewal program of the community.

**Also:**

H. 146. To amend Sec. 1. of Act 614, General Assembly Acts of 1939, approved July 10, 1940 (Chapter 7, Title 25, Code of Alabama 1940).



Also:

H. 147. To validate and declare legal the creation and establishment of housing authorities, all bonds, notes, contracts, agreements, obligations and undertakings of said housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto, and to declare said housing authorities bodies corporate and politic.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 255. To provide further for acquiring rights of way for state roads.

Also:

H. 350. To fix the compensation of certain State Officers.

Also:

H. 742. To designate the tarpon as the official Salt Water Fish of Alabama.

Also:

H. 626. Relating to the management of public records of the state, or any political subdivision thereof; providing for the photographing or microphotographing of public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers, and for the defrayment of the cost incurred for the purchase or lease of photographic or microphotographic equipment; and creating a state records commission and a county records commission to regulate the destruction or disposal of public records.

J. E. SPEIGHT,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 9. To amend Title 14, Section 217, Code of 1940.

Also:

H. 10. To amend Section 5 of Act No. 338, General Acts of 1949, page 503, approved August 8, 1949, entitled "To provide for the assign-

ment of accounts receivable and for notice thereof; and to fix the rights and liabilities of the assignors and assignees of such accounts received and of the persons owing the same, and of all persons interested therein, and to provide for the enforcement of such rights and liabilities; all in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments".

**Also:**

H. 11. To make it unlawful for any person to withdraw or cause to be withdrawn from any state or national bank funds credited to a depositor's account through error or mistake, or to induce any such bank to pay any such funds to any person by making, drawing, uttering or delivering a check, draft or order for the payment of money, with the intent to so defraud such bank; and to provide the penalties for violation of this act.

J. E. SPEIGHT,  
Secretary.

**S. 130 INDEFINITELY POSTPONED**

On motion of Mr. Brown (Lamar), the bill, S. 130, was indefinitely postponed.

**MOTION LOST**

The motion of Mr. Hawkins to indefinitely postpone the bill, S. 251, was lost.

Yeas 27; Nays 39.

**Yeas:**

Messrs.	Dement	Law	Oakley
Bradford	Ferrell	Lee (Lawrence)	Oden
Broadfoot	Gregory	McNider	Selman
Brown (Lamar)	Hare	Merrill	Shumate
Callahan	Hawkins	Murphy	Simon
Cox	Huddleston	Nettles	Speaks
Davis	Johnson (Elmore)	Nice	Tyson

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**Nays:**

Mr. Speaker	Franklin	Kelly	Pirkle
Albea	Gist	Kirkham	Pruitt
Ashworth	Haltom	Lackey	Richardson
Branyon	Hanby	Lee (Barbour)	Roberts
Brewer	Hardy	Locke (Choctaw)	Steagall
Brown (Lee)	Hodges	McClendon	Stembridge
deGraffenried	Holliman	Martin	Thomas
Edwards (Escambia)	Hunt	Mathison	Vacca
Edwards (Jefferson)	Jenkins	Meeks	Windle
Faulk	Kaul	Molette	

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**MESSAGE FROM THE SENATE**

**Mr. Speaker:**

The Senate has passed the following House bill and returns same herewith to the House:

H. 835. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection, construction

~~and equipping of hospitals, health centers, and related medical facilities~~ within the State; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest-bearing bonds in the amount not to exceed \$2,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held the first Tuesday after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

J. E. SPEIGHT,  
Secretary.

#### BILLS POSTPONED

On motion of Mr. Pruitt all bills remaining on the Calendar were indefinitely postponed.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Resolution, your signature thereto is requested:

S. J. R. 96. Relative to naming H. B. No. 676.

J. E. SPEIGHT,  
Secretary.

#### SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 9. To amend Title 14, Section 217, Code of 1940.

Also:

H. 10. To amend Section 5 of Act No. 338, General Acts of 1949, page 503, approved August 8, 1949, entitled "To provide for the assignment of accounts receivable and for notice thereof; and to fix the rights and liabilities of the assignors and assignees of such accounts received and of the persons owing the same, and of all persons interested therein, and to provide for the enforcement of such rights and liabilities; all in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments".

Also:

H. 11. To make it unlawful for any person to withdraw or cause to be withdrawn from any state or national bank funds credited to a depositor's account through error or mistake, or to induce any such

bank to pay any such funds to any person by making, drawing, uttering or delivering a check, draft or order for the payment of money, with the intent to so defraud such bank; and to provide the penalties for violation of this act.

Also:

H. 189. To amend Section 191, Title 51, Code of Alabama (1940), relating to the compensation of tax collectors.

Also:

H. 190. To amend Section 30, Title 51, Code of Alabama (1940), relating to the compensation of tax assessors.

Also:

H. 255. To provide further for acquiring rights of way for state roads.

Also:

H. 350. To fix the compensation of certain State Officers.

Also:

H. 626. Relating to the management of public records of the state, or any political subdivision thereof; providing for the photographing or microphotographing of public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers, and for the defrayment of the cost incurred for the purchase or lease of photographic or microphotographic equipment; and creating a state records commission and a county records commission to regulate the destruction or disposal of public records.

Also:

H. 742. To designate the tarpon as the official Salt Water Fish of Alabama.

Also:

H. 816. To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. 1, p. 167).

Also:

H. 835. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection, construction and equipping of hospitals, health centers, and related medical facilities within the State; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest-bearing bonds in the amount not to exceed \$2,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held the first Tuesday after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

And finds same correctly enrolled.

RANKIN FITE,  
Chairman.

## SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

## MESSAGE FROM THE SENATE

Mr. Speaker:

In accordance with the provisions of H. J. R. 101, the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Honorable E. W. Skidmore.

J. E. SPEIGHT,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to notify the House of Representatives that the Senate has completed its business and is ready to adjourn sine die, and desires to ascertain if the House has any further communications for the Senate.

J. E. SPEIGHT,  
Secretary.

## RESOLUTION

The following resolution was introduced:

By Mr. Kaul:

H. J. R. 103. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that the Legislature do now stand adjourned Sine Die.

On motion of Mr. Kaul the rules were suspended and H. J. R. 103 was adopted.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 103. Relative to sine die adjournment.

J. E. SPEIGHT,  
Secretary.

## CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:00 Noon. On September 2, 1955

H. 41

H. 211

H. 876

H. 43

H. 812

H. 975

H. 976

H. 470

H. 954

H. 955

H. 956

H. 957

H. 342

H. 53

H. 562

H. 741

H. 931

H. 787

H. 809

H. 869

H. 874

H. 882

H. 883

H. 887

H. 888

H. 895

H. 896

H. 901

H. 903

H. 905

H. 907

H. 908

H. 909

H. 917

H. 919

H. 927

H. 928

H. 929

H. 930

H. 932

H. 934

H. 936

H. 937

H. 938

H. 939

H. 959

H. 962

H. 964

H. 965

H. 966

H. 967

H. 968

H. 970

H. 971

H. 973

H. 974

H. 940

H. 941

H. 942

H. 943

H. 944

H. 945

H. 946

H. 947

H. 948

H. 949

H. 958

H. 377

H. 881

H. 894

H. 952

H. J. R. 78

H. J. R. 79

H. J. R. 80

H. 844

H. 845

H. 906

H. 910

H. 933

H. 979  
H. 877  
H. 878  
H. 980  
H. 984  
H. 985  
H. 986  
H. 987  
H. 743  
H. 834  
H. 935  
H. 988  
H. 728  
H. 993  
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H. 1004  
H. 1005  
H. 627  
H. 861  
H. 628  
H. 486  
H. 216  
H. 592  
H. 301  
H. 17  
H. 454  
H. 221  
H. J. R. 82  
H. J. R. 72  
H. J. R. 75  
H. 586



~~H. 726~~

H. 730

Delivered to the Secretary of State at 12:50 P.M. On September 2, 1955

H. 830

H. 617

H. 977

Delivered to the Governor at 4:20 P.M. On September 2, 1955

H. 681

H. 989

H. 992

H. 1008

H. J. R. 84

H. 1010

H. J. R. 85

H. 1032

H. 1031

H. 1026

H. 1025

H. 1024

H. 1011

Delivered to the Governor at 5:00 P.M. On September 2, 1955

H. 963

H. J. R. 89

H. J. R. 90

H. 59

H. 375

H. 550

H. 969

H. 355

H. 584

H. 806

H. 568

H. 569

H. 570

H. 571

H. 572

Delivered to the Governor at 5:20 P.M. On September 2, 1955

H. 1013

H. 1014

H. 1015

H. 1016

H. 1017

H. 1018

H. 1019

H. 1020

H. 1021

H. 1022

H. 1023

H. 573

H. 574

H. 575

H. 576

H. 577

H. 578

Delivered to the Governor at 9:30 P.M. On September 2, 1955

H. 579

H. J. R. 92

H. J. R. 93

H. J. R. 95

H. 960

H. 179

H. 85

H. 62

H. J. R. 99

H. 555

H. 125

H. 336

H. 867

H. 124

H. 304

H. 303

H. J. R. 100

H. 302

H. 206

Delivered to the Governor at 10:36 P.M. On September 2, 1955

H. 900

H. 166

H. 443

H. 714

H. 857

H. 871

H. 688

H. 1006

Delivered to the Governor at 10:50 P.M. On September 2, 1955

H. 194

H. 294

H. 164

H. 253

H. J. R. 101

H. 115

H. 424

Delivered to the Governor at 11:15 P.M. On September 2, 1955

H. 334

H. 815

H. 890

H. 638

H. 676

H. 639

H. 317

H. 324

H. 339

H. 145

H. 146

H. 147

Delivered to the Governor at 12:00 Midnight. On September 2, 1955

H. 9

H. 10

H. 11

H. 189

H. 190

H. 255

H. 350

H. 626

H. 742

H. 816

Delivered to Secretary of State at 9:35 P.M.

H. 1012

Delivered to Secretary of State at 10:55 P.M.

H. 480.

Delivered to Secretary of State at 12:00 Midnight

H. 835

R. T. GOODWYN, JR.,  
Clerk.

#### REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-sixth legislative day and finds the same to be correct.

RANKIN FITE,  
Chairman.

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the thirty-sixth legislative day was dispensed with and adopted, and the Journal of the thirty-sixth legislative day was and the report of the Standing Committee on Rules was concurred in approved.

#### ADJOURNMENT

On motion of Mr. Dawkins the House adjourned sine die at 11:58 P. M.

RANKIN FITE,  
Speaker of the House of Representatives of the  
Legislature of Alabama, Regular Session, 1955

Attest:

R. T. GOODWYN, JR.,  
Clerk of the House of Representatives of the  
Legislature of Alabama, Regular Session, 1955

**ROSTER OF THE SENATE OF ALABAMA****Regular Session, 1955**

W. G. (Guy) Hardwick, <i>Lieutenant Governor</i> .....	Dothan
Broughton Lamberth, <i>President Pro Tem</i> .....	Alexander City
J. E. Speight, <i>Secretary</i> .....	Montgomery
Ralph E. Macon, <i>Assistant Secretary</i> .....	Wetumpka
First Senatorial District—Lauderdale and Limestone Counties. Milton C. Grisham.....	Route 6, Athens
Second Senatorial District—Lawrence and Morgan Counties. Joe Calvin.....	P. O. Box 312, Decatur
Third Senatorial District—Blount, Cullman and Winston Counties. Harlan G. Allen.....	Route 2, Cullman
Fourth Senatorial District—Madison County. T. Herman Vann.....	434 Locust St., Huntsville
Fifth Senatorial District—Jackson and Marshall Counties. Smith C. Dyar.....	Route 6, Boaz
Sixth Senatorial District—Etowah and St. Clair Counties. E. L. Roberts.....	752 Forrest Ave., Gadsden
Seventh Senatorial District—Calhoun County. A. C. Shelton.....	Jacksonville
Eighth Senatorial District—Talladega County. G. Kyser Leonard.....	Talladega
Ninth Senatorial District—Chambers and Randolph Counties. Geo. W. Yarbrough.....	Box 15, Wedowee
Tenth Senatorial District—Elmore and Tallapoosa Counties. Broughton Lamberth.....	Alexander City
Eleventh Senatorial District—Tuscaloosa County. E. W. Skidmore.....	411 Alston Bldg., Tuscaloosa
Twelfth Senatorial District—Fayette, Lamar and Walker Counties. Reuben L. Newton.....	Jasper
Thirteenth Senatorial District—Jefferson County. Albert Boutwell.....	1919-20 First National Bank Bldg. ....
Fourteenth Senatorial District—Pickens and Sumter Counties. Albert Davis.....	Aliceville

**ROSTER OF THE SENATE OF ALABAMA—Continued**

Fifteenth Senatorial District—Autauga, Chilton and Shelby Counties.

Dave L. Yarbrough .....Prattville

Sixteenth Senatorial District—Lowndes County.

Joe B. Davis.....Braggs

Seventeenth Senatorial District—Butler, Conecuh and Covington Counties.

Tully A. Goodwin.....801 North 5th St., Florala

Eighteenth Senatorial District—Bibb and Perry Counties.

H. P. James.....Brent

Nineteenth Senatorial District—Choctaw, Clarke and Washington Counties.

Gerald Bradford.....Grove Hill

Twentieth Senatorial District—Marengo County.

E. O. Eddins.....P. O. Box 317, Demopolis

Twenty-first Senatorial District—Baldwin, Escambia and Monroe Counties.

Ralph L. Jones.....Monroeville

~~Twenty-second Senatorial District—Wilcox County.~~

~~Roland Cooper.....c/o Cooper Motor Co., Camden~~

Twenty-third Senatorial District—Dale and Geneva Counties.

Neil Metcalf.....Box 175, Geneva

Twenty-fourth Senatorial District—Barbour County.

George E. Little.....Eufaula

Twenty-fifth Senatorial District—Coffee, Crenshaw and Pike Counties.

Ben Reeves.....407 Orange St., Troy

Twenty-sixth Senatorial District—Bullock and Macon Counties.

Sam M. Engelhardt, Jr.....Shorter

Twenty-seventh Senatorial District—Lee and Russell Counties.

Joseph W. Smith.....Box 464, Phenix City

Twenty-eighth Senatorial District—Montgomery County.

Vaughan Hill Robison.....34 S. Perry St., Montgomery

Twenty-ninth Senatorial District—Cherokee and DeKalb Counties.

M. H. Moses.....Box 245, Fyffe

Thirtieth Senatorial District—Dallas County.

Walter C. Givhan.....Safford

**ROSTER OF THE SENATE OF ALABAMA—Continued**

Thirty-first Senatorial District—Colbert, Franklin and Marion Counties.

Berry Lynchmore Cantrell.....300 West First St.,  
Tuscumbia

Thirty-second Senatorial District—Greene and Hale Counties.

James S. Coleman, Jr.....Eutaw

Thirty-third Senatorial District—Mobile County.

Garet Van Antwerp, III.....37 Oriole Drive, Spring Hill

Thirty-fourth Senatorial District—Clay, Cleburne and Coosa Counties.

Staten Tate.....Box 37, Goodwater

Thirty-fifth Senatorial District—Henry and Houston Counties.

Richmond M. Flowers.....Penny Building, Dothan

**ROSTER OF THE HOUSE OF REPRESENTATIVES OF  
ALABAMA**

Regular Session 1955

**OFFICERS**

Rankin Fite, *Speaker* .....Hamilton

George C. Hawkins, *Speaker Pro Tem*.....Gadsden

R. T. Goodwyn, Jr., *Clerk*.....Montgomery

Oakley W. Melton, Jr., *Assistant Clerk*.....Montgomery

Richard C. Belser, *Reading Clerk*.....Montgomery

**MEMBERS OF THE HOUSE**

Autauga—E. A. (Bud) Grouby.....Prattville

Baldwin—L. W. Brannan, Jr.....Foley

Barbour—Place No. 1—Sim A. Thomas.....Eufaula

Place No. 2—McDowell Lee.....Clio

Bibb—Virgis M. Ashworth.....Centreville

Blount—Lowell Gregory.....Oneonta

Bullock—Place No. 1—M. B. McLendon.....Union Springs

# **ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued**

Place No. 2—J. A. Crook.....	Union Springs
Butler—Place No. 1—A. L. Killough.....	Honoraville
Place No. 2—H. B. Taylor.....	P. O. Box 278, Georgiana
Calhoun—Place No. 1 — Woodrow Albea.....	Anniston National Bank Bldg., Anniston
Place No. 2—Hugh D. Merrill, Jr.....	701 Fairway, Anniston
Chambers—Place No. 1—Roy W. McClendon.....	Shawmut
Place No. 2—Robert R. Hunt.....	Box 207, Fairfax
Cherokee—J. B. Burkhalter.....	Centre
Chilton—Francis W. Speaks.....	P. O. Box 535, Clanton
Choctaw—Robert Locke.....	Butler
Clarke—Place No. 1—Marion Bradford.....	Dickinson
Place No. 2—Emory McNider.....	Coffeetown
Clay—Charles (Pete) Mathews.....	Ashland
Cleburne—J. H. Pirkle.....	Heflin
Coffee—Jackson W. Stokes.....	Elba
Colbert—Harry J. (Jack) Huddleston.....	Box 178, Sheffield
Conecuh—Robert G. Kendall, Jr.....	Evergreen
Coosa—Charles R. Franklin.....	Goodwater
Covington—Clyde M. Love.....	Box 481, Florala
Crenshaw—V. S. Summerlin.....	Luverne
Cullman—Bryce C. Davis.....	Box 499, Cullman
Dale—Henry B. Steagall, II.....	Box 226, Ozark
Dallas—Place No. 1—William P. Molette.....	Orrville
Place No. 2—Frank Hardy.....	Route 6, Selma
Place No. 3—B. V. Hain.....	Box 155, Selma
DeKalb—F. L. (Hello) Ferrell.....	Mentone
Elmore—Place No. 1—Carol Jack Law.....	Box 1, Wetumpka
Place No. 2—Hardaway Johnson.....	Eclectic



**ROSTER OF THE HOUSE OF REPRESENTATIVES OF****ALABAMA—Continued**

Escambia—Malcolm Edwards.....	E. Brewton
Etowah—Place No. 1—George C. Hawkins.....	752 Forrest Ave., Gadsden
Place No. 2—E. K. Hanby.....	223 Ridgeway Ave., Gadsden
Fayette—James A. Branyon, II.....	Fayette
Franklin—W. E. Oden.....	Russellville
Geneva—Roland R. Faulk.....	Samson
Greene—W. L. Martin, Jr.....	Eutaw
Hale—Place No. 1—Reginald Richardson.....	Greensboro
Place No. 2—Charles H. Ramey.....	Akron
Henry—Place No. 1—Emory R. (Em) Solomon.....	Headland
Place No. 2—G. B. Mathison, Sr.....	Abbeville
Houston—R. J. (Bob) Stembridge.....	321 E. Main Street, Dothan
Jackson—Place No. 1—Leroy D. Gist.....	Hollywood
Place No. 2—Joe Money.....	Route 3, Scottsboro
Jefferson—J. K. (Jess) Edwards.....	Brighton
Hugh Kaul.....	1605 1st National Bldg., Birmingham
Rufus M. Lackey.....	712 1st National Bldg., Birmingham
J. Paul Meeks.....	424 Brown Marx Bldg., Birmingham
Charles Nice, Jr.....	210 Frank Nelson Bldg., Birmingham
Walter Emmett Perry, Jr.....	730 Frank Nelson Bldg., Birmingham
Paschal P. (Pat) Vacca.....	710 Frank Nelson Bldg., Birmingham
Lamar—Jesse Brown.....	Box 305, Vernon
Lauderdale—Place No. 1—Robert H. Broadfoot.....	302 West Ala- bama, Florence
Place No. 2—E. B. Haltom, Jr.....	Box 532, Florence
Lawrence—W. J. Lee, Jr.....	Town Creek
Lee—Place No. 1—Roberts H. Brown.....	Box 48, Opelika

## ROSTER OF THE HOUSE OF REPRESENTATIVES OF

## ALABAMA—Continued

Place No. 2—D. W. Ward.....	Box 689, Opelika
Limestone—James M. Dement.....	Route 1, Athens
Lowndes—Place No. 1—Robert S. Dickson, Jr.....	Lowndesboro'
Place No. 2—A. J. Brooks.....	Ft. Deposit
Macon—J. J. Rodgers.....	P. O. Box 538, Tuskegee
Madison—Place No. 1—N. L. (Luke) Reynolds.....	1413 California Street, Huntsville
Place No. 2—Roscoe Roberts, Jr.....	4 West Side Square, Huntsville
Marengo—Place No. 1—Jack B. Kirkham.....	RFD, Myrtlewood
Place No. 2—Cephus R. Holliman.....	Linden
Marion—Rankin Fite.....	Box 157, Hamilton
Marshall—Garnett Cox.....	1468 Rayburn Ave., Guntersville
Mobile—Place No. 1—Michael Thomas Murphy.....	612 First National Bank Bldg., Mobile
Place No. 2—John M. Tyson.....	1600 Government St., Mobile
Place No. 3—Otto E. Simon.....	608 Van Antwerp Bldg., Mobile
Monroe—N. S. (Nick) Hare.....	Monroeville
Montgomery—Place No. 1—Joe M. Dawkins.....	800 Commerce Bldg., Montgomery
Place No. 2—O. J. (Joe) Goodwyn.....	4169 Goode St., Montgomery
Place No. 3—H. James Hall.....	Route 4, Montgomery
Place No. 4—Wilbur B. Nolen, Jr.....	Box 1525, Montgomery
Morgan—Place No. 1—Albert P. Brewer.....	Box 1487, Decatur
Place No. 2—Bob Gilchrist.....	Bethel Road, Hartselle
Perry—Place No. 1—Judson C. Locke, Sr.....	Marion
Place No. 2—W. L. DeSear.....	Uniontown
Pickens—Ralph Windle.....	Carrollton
Pike—Place No. 1—L. Gardner Bassett.....	206 Orange St., Troy
Place No. 2—A. L. (Pat) Boyd.....	Box 454, Troy

## ROSTER OF THE HOUSE OF REPRESENTATIVES OF

**ALABAMA—Continued**

Randolph—J. M. (Jimmie) Jenkins.....	Box 384, Roanoke
Russell—Place No. 1—Homer W. Cornett.....	Box 88, Phenix City
Place No. 2—J. W. Brassell.....	Phenix City
St. Clair—George W. Hodges, Jr.....	Box 295, Ashville
Shelby—Karl C. Harrison.....	Columbiana
Sumter—Place No. 1—Jesse E. Harvey.....	Cuba
Place No. 2—Ira D. Pruitt.....	Livingston
Talladega—Place No. 1—L. N. Payne.....	Box 4, Talladega
Place No. 2—C. W. (Charlie) McKay, Jr.....	Box 128, Sylacauga
Tallapoosa—Place No. 1—Charles Adams.....	Alexander City
Place No. 2—J. T. (Tom) Johnson.....	Rt. 1, Notasulga
Tuscaloosa—Place No. 1—A. K. (Temo) Callahan.....	909 First Natl. Bank Bldg., Tuscaloosa
Place No. 2—Ryan deGraffenried.....	Tuscaloosa
Walker—Place No. 1—Alonzo Shumate.....	Box 63, Jasper
Place No. 2—T. K. Selman.....	Jasper
Washington—J. Emmett Wood.....	Millry
Wilcox—Place No. 1—Sam C. Nettles, Jr.....	Arlington
Place No. 2—Gregory Oakley.....	Pine Apple
Winston—J. H. (Jack) Kelly.....	Haleyville

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Act regulating repealed. H. B. 388, p. 368.

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- Lien in favor of hospitals upon cause of action accruing to injured person to whom care and treatment is given. S. B. 132, pp. 475, 756, 1968, 2023.
- Motor vehicles, service of process on nonresident owner or operator of, code section amended. H. B. 666, pp. 765, 999, 1531.
- Municipal fire department granted immunity from tort liability in certain cases. H. B. 317, pp. 274, 396, 1517, 2133, 2135, 2151.
- Non-resident infant defendants, service upon, equity rule amended. H. B. 848, p. 1077.
- Perpetuating testimony, penalty for failure to comply with order allowing examination of witness for the purpose of. H. B. 998, pp. 1422, 1546.
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- Persons of unsound mind, suits by and against, code section amended. H. B. 752, p. 865.
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- Recovery of benefits when more than one party is named as the assured in a contract of insurance. H. B. 57, pp. 26, 115, 289.
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- Statements, claims, or demands for injury filed against municipalities, code section amended. H. B. 322, pp. 275, 396.
- Suits or actions in state courts, certain persons in service of federal government deemed to be residents of Alabama for purpose of maintaining. H. B. 125, pp. 64, 352, 640, 2112, 2121, 2150.
- Time of trial or dismissal of charges pending against defendant, provided for. H. B. 393, pp. 398, 556.
- Usurious interest paid, recovery of, code section amended. H. B. 5, p. 7; H. 807, p. 952.
- Venue in actions on policies or certificates of insurance. H. B. 59, pp. 26, 56, 247, 2020, 2056, 2149.
- Venue of, fixed, code section amended. H. B. 921, p. 1207.
- Wrongful act, omission, or negligence causing death, code section amended. H. B. 67, pp. 29, 116, 385, 532.

## ACTS AMENDED, GENERAL ACTS

- 1939, Act No. 614, p. 981, General Acts of Alabama, 1939, limiting the amount of rentals which may be charged by housing authorities. H. B. 146, pp. 77, 266, 468, 2134, 2140, 2151.
- 1939, Act No. 650, p. 1023, General Acts of Alabama, 1939, providing for the distribution of the 1940 Code of Alabama. H. B. 879, pp. 1138, 1700, 1816.
- 1939, Act No. 664, p. 1051, General Acts of Alabama, 1939, levying a mileage tax on motor carriers. H. B. 108, p. 62; H. 531, p. 570; H. B. 689, pp. 788, 1001.
- 1939, Act No. 669, p. 1064, General Acts of Alabama, 1939, known as the "Alabama motor carrier act of 1939". H. B. 106, p. 62; H. B. 688, pp. 788, 1063, 1847, 2123, 2125, 2151.

## ACTS AMENDED, GENERAL—Continued

- 1940, Act No. 590, p. 960, General Acts of Alabama, 1939, levying an excise tax on certain motor fuels. H. B. 516, p. 568.
- 1943, Act No. 420, p. 385, General Acts of Alabama, 1943, requiring the sheriff to fingerprint persons coming into his custody. H. B. 370, p. 364.
- 1943, Act No. 500, p. 470, General Acts of Alabama, 1943, known as the "bread, flour and corn meal enrichment act". H. B. 97, p. 38.
- 1943, Act No. 560, p. 552, General Acts of Alabama, 1943, regulating the sale and distribution of agricultural, vegetable, flower, and herb seeds. H. B. 841, p. 1073.
- 1945, Act No. 96, p. 92, General Acts of Alabama, 1945, regulating schools of nursing and the examination and registration of nurses. H. B. 123, pp. 64, 114, 286, 1386, 1434, 1534.
- 1945, Act No. 169, p. 285, General Acts of Alabama, 1945, levying the forest products severance tax. S. B. 306, pp. 1390, 1547, 1901, 2008; S. B. 307, pp. 1390, 1547, 2035, 2114; H. B. 825, pp. 1016, 1116.
- 1945, Act No. 173, p. 304, General Acts of Alabama, 1945, establishing the state department of veterans' affairs. H. B. 899, p. 1153.
- 1945, Act No. 248, p. 376, General Acts of Alabama, 1945, establishing a civil service system in counties 400,000 or more population. H. B. 964, p. 1341, 1396, 1608, 1874, 1991, 2147.
- 1945, Act No. 292, p. 482, General Acts of Alabama, 1945, examination, licensing and regulation of licensed practical nurses. H. B. 122, pp. 64, 114, 285, 1386, 1433, 1534.
- 1945, Act No. 412, p. 647, General Acts of Alabama, 1945, providing for the adoption, selection, purchase and distribution of textbooks to be used in the tax-supported schools of the state. H. B. 13, p. 12.
- 1945, Act No. 465, p. 699, General Acts of Alabama, 1945, regulating the conduct of elections in cities not having a commission form of government. H. B. 331, pp. 277, 562.
- 1945, Act No. 515, p. 734, General Acts of Alabama, 1945, establishing the employees' retirement system. H. B. 424, pp. 433, 478, 721, 2124, 2131, 2151; H. B. 435, pp. 436, 558, 680, 681, 1386, 1434, 1534.
- 1947, Act No. 228, p. 92, General Acts of Alabama, 1947, providing for the appointment and compensation of supernumerary judges. S. B. 105, pp. 932, 998, 1483, 1532.
- 1947, Act No. 314, p. 179, General Acts of Alabama, 1947, regulating the handling, sale and distribution of barbiturates. H. B. 506, pp. 563, 653, 1695.
- 1947, Act No. 376, p. 267, General Acts of Alabama, 1947, providing group life, health, accident and hospitalization insurance and insured retirement plans for officers and employees of cities, counties, city and county boards of education, and state agencies and institutions. H. B. 368, pp. 364, 756.
- 1947, Act No. 670, p. 513, General Acts of Alabama, 1947, providing for joint action against both principal and agent in civil actions. H. B. 266, p. 228.
- 1947, Act No. 689, p. 524, General Acts of Alabama, 1947, creating the second injury trust fund in connection with workmen's

## ACTS AMENDED, GENERAL—Continued

- compensation. H. B. 576, pp. 617, 755, 1297, 2055, 2063, 2150.
- 1949, Act No. 46, p. 68, Acts of Alabama, 1949, authorizing the incorporation in any county of a public corporation for hospital purposes. H. B. 485, pp. 510, 557, 682, 896, 927, 990.
- 1949, Act No. 266, p. 390, Acts of Alabama, 1949, providing for the registration and purgation of voters. H. B. 746, pp. 864, 934.
- 1949, Act No. 338, p. 503, Acts of Alabama, 1949, providing for and regulating the assignment of accounts receivable and the notice thereof. H. B. 10, pp. 12, 352, 537, 2141, 2143, 2151.
- 1949, Act No. 424, p. 601, Acts of Alabama, 1949, regulating absentee voting at elections. H. B. 360, p. 362; H. 594, pp. 656, 1545.
- 1949, Act No. 516, p. 740, Acts of Alabama, 1949, regulating the operation of motor vehicles on public highways. H. B. 148, pp. 77, 352, 539.
- 1949, Act No. 529, p. 827, Acts of Alabama, 1949, creating a plumbers examining board in counties 140,000 or more population. H. B. 730, pp. 841, 862, 914, 1980, 2011, 2149.
- 1950, Act No. 48, p. 102, Acts of Alabama, 1951, providing old-age and survivors insurance for certain officers and employees of the state and local governments. S. B. 112, pp. 327, 353, 647, 650, 773, 808.
- 1951, Act No. 4, p. 167, Acts of Alabama, 1951, fixing the compensation of certain state officers. H. B. 816, pp. 1014, 1112, 1731, 2137, 2144, 2152.
- 1951, Act No. 173, p. 409, Acts of Alabama, 1951, regulating the operation of livestock markets. H. B. 478, pp. 509, 560.
- 1951, Act No. 175, p. 416, Acts of Alabama, 1951, authorizing the incorporation of a public corporation for the purpose of owning and operating a municipal water, sewer, gas and electric system. H. B. 312, pp. 273, 560.
- 1951, Act No. 187, p. 438, Acts of Alabama, 1951, creating a firemen's and policemen's pension and relief fund for cities 45,000 to 54,000 population. H. B. 701, pp. 790, 833, 873, 1048, 1060, 1104.
- 1951, Act No. 234, p. 504, Acts of Alabama, 1951, creating the department of insurance. H. B. 172, pp. 85, 1112.
- 1951, Act No. 311, p. 606, Acts of Alabama, 1951, providing for the compensation of and assistants to the sheriff in counties 96,000 to 140,000 population. S. B. 174, pp. 608, 613, 666, 685; H. B. 493, pp. 514, 563, 665, 678.
- 1951, Act No. 662, p. 1132, Acts of Alabama, 1951, levying a beer tax in counties 400,000 or more population. H. B. 937, pp. 1226, 1327, 1480, 1873, 1990, 2147.
- 1951, Act No. 682, p. 1172, Acts of Alabama, 1951, providing for the incorporation of county public building authorities. H. B. 556, pp. 587, 830, 1835.
- 1951, Act No. 691, p. 1192, Acts of Alabama, 1951, fixing the compensation of court reporters. H. B. 959, pp. 1339, 1394, 1596, 1874, 1991, 2147.
- 1951, Act No. 703, p. 1211, Acts of Alabama, 1951, creating state and county boards and departments of public welfare. S. B. 51, pp. 549, 1774; S. B. 277, p. 1878; H. B. 361, p. 363; H. B. 655, p. 717; H. B. 748, pp. 864, 1063.



## ACTS AMENDED, GENERAL—Continued

- 1951, Act No. 704, p. 1224, Acts of Alabama, 1951, known as the "motor vehicle safety-responsibility act". H. B. 246, p. 220.
- 1951, Act No. 712, p. 1250, Acts of Alabama, 1951, creating the state bureau of publicity and information. H. B. 870, pp. 1123, 1321.
- 1951, Act No. 762, p. 1319, Acts of Alabama, 1951, authorizing the incorporation of gas districts. H. B. 134, p. 68.
- 1951, Act No. 775, p. 1359, Acts of Alabama, 1951, providing for the creation of board of water and sewer commissioners for any city for the purpose of owning and operating a water or sewer system. H. B. 496, pp. 514, 560.
- 1951, Act No. 787, p. 1385, Acts of Alabama, 1951, amending the act which regulates the business of lending money. H. B. 605, pp. 660, 955, 998, 1080, 1087, 1391, 1543.
- 1951, Act No. 929, p. 1579, Acts of Alabama, 1951, creating an employees retirement and relief system in cities 250,000 or more population. H. B. 962, pp. 1340, 1396, 1609, 1874, 1991, 2147; H. B. 600, pp. 659, 760, 802, 897, 928, 990.
- 1951, Act No. 981, p. 1655, Acts of Alabama, 1951, providing for the commitment and treatment of sexual psychopathic persons after conviction of sex offense. H. B. 670, pp. 766, 999.
- 1953, Act No. 63, p. 94, Acts of Alabama, 1953, providing old-age assistance for certain teachers. H. B. 889, pp. 1141, 1321, 1481, 1482.
- 1953, Act No. 279, p. 344, Acts of Alabama, 1953, regulating the payment of witness certificates in counties 73,000 to 93,000 population. H. B. 342, pp. 300, 355, 443, 1869, 1986, 2146.
- 1953, Act No. 430, p. 535, Acts of Alabama, 1953, known as the right-to-work act. H. B. 344, pp. 300, 1062, 1374.
- 1953, Act No. 443, p. 549, Acts of Alabama, 1953, providing for the appointment, duties and compensation of law clerks for the chief justice and associate justices of the supreme court. H. B. 610, pp. 663, 830, 1533.
- 1953, Act No. 463, p. 566, Acts of Alabama, 1953, amending the act creating the water improvement advisory commission. H. B. 840, pp. 1072, 1117.
- 1953, Act No. 585, p. 828, Acts of Alabama, 1953, creating the department of public safety. S. B. 50, pp. 188, 215, 288, 349; H. 128, pp. 65, 114, 289.
- 1953, Act No. 587, p. 832, Acts of Alabama, 1953, dividing the state into judicial circuits. H. B. 16, pp. 12, 212, 324, 548, 552, 609.
- 1953, Act No. 669, p. 954, Acts of Alabama, 1953, providing an allowance to the sheriff for furnishing evidence to support conviction of distilling or manufacturing prohibited liquors. H. B. 880, p. 1138.
- 1953, Act No. 689, p. 941, Acts of Alabama, 1953, authorizing the state highway department to construct and maintain roads on the agricultural center. H. B. 336, pp. 297, 478, 1255, 2110, 2121, 2150.
- 1953, Act No. 724, p. 979, Acts of Alabama, 1953, providing for the appointment, duties and compensation of law clerks for judges of the court of appeals. H. B. 611, pp. 663, 830, 1031, 1533.

## ACTS AMENDED, GENERAL—Continued

- 1953, Act No. 859, p. 1148, Acts of Alabama, 1953, validating the issuance of bonds by certain public corporation and county and city boards of education prior to issuance. H. B. 641, p. 707.
- 1955, Act No. 46, approved April 6, 1955, regulating the sale of eggs. S. B. 336, pp. 1765, 1775, 2047, 2103, 2115; H. B. 1030, p. 1585.
- 1955, Act No. 52, approved April 8, 1955, providing for the appointment and compensation of the court reporter of judicial circuits composed of one county and having not less than four nor more than nine judges. H. B. 698, pp. 790, 833, 872, 1048, 1060, 1103.
- 1955, Act No. 57, approved April 8, 1955, providing for the impaneling of juries and alternate jurors in circuit courts in counties 400,000 or more population. H. B. 257, pp. 229, 269, 307, 464, 494, 504.

## ACTS AMENDED, LOCAL ACTS

- Autauga County, Act No. 445, p. 303, Local Acts of Alabama, 1947, establishing the court of common pleas. H. B. 763, pp. 937, 1004, 1094, 1368, 1385, 1534.
- Blount County, Act No. 345, p. 237, Local Acts of Alabama, 1923, providing for the election, duties and compensation of the superintendent of education. H. B. 658, pp. 763, 787, 849, 1048, 1059, 1103.
- Butler County, Act No. 219, p. 311, Acts of Alabama, 1949, providing for the election, compensation and duties of the members of the county board of education. H. B. 463, pp. 484, 508, 595, 735, 752, 783.
- Calhoun County, Act No. 607, p. 1043, Acts of Alabama, 1951, regulating the operation of the office of the sheriff. H. B. 990, pp. 1403, 1550, 1709.
- Cherokee County, Act No. 162, p. 78, Local Acts of Alabama, 1943, placing the probate judge, tax assessor, tax collector, circuit clerk, sheriff, register and deputy solicitor on a salary and providing office space, supplies and clerical assistance. H. B. 421, pp. 431, 480, 520, 729, 737, 750.
- Chilton County, Act No. 872, p. 1505, Acts of Alabama, 1951, creating the board of revenue and control. H. B. 1009, pp. 1555, 1701, 1783.
- Clarke County, Act No. 34, p. 13, Local Acts of Alabama, 1932, providing for the election, term, duties and compensation of the superintendent of education. H. B. 896, pp. 1147, 1181, 1445, 1871, 1988, 2146.
- Cullman County, Act No. 18, approved February 17, 1955, creating the office of superintendent of county schools and the commission on education. H. B. 18, pp. 13, 59, 87, 187, 194, 200.
- Dallas County, Act No. 436, p. 554, Local Acts of Alabama, 1907, creating the Selma water works commission. H. B. 20, pp. 14, 59, 88, 187, 195, 200.
- Dallas County, Act No. 208, p. 110, Local Acts of Alabama, 1943, authorizing the expenditure of county funds for purposes not otherwise provided by law. S. B. 198, pp. 742, 760, 799, 809.
- DeKalb County, Act No. 715, p. 1252, Acts of Alabama, 1951, providing for the appointment and compensation of an additional deputy to the sheriff. H. B. 357, pp. 361, 397, 447, 554, 608, 609.

## ACTS AMENDED, LOCAL ACTS—Continued

- Houston County, Act No. 11, p. 8, Local Acts of Alabama, 1945, regulating the office of the sheriff. H. B. 1011, pp. 1558, 1701, 1782, 2017, 2046, 2149; S. B. 372, pp. 1858, 1891, 2030, 2060.
- Jackson County, Act No. 65, p. 126, Acts of Alabama, 1951, creating a board of revenue. H. B. 845, pp. 1076, 1120, 1442, 1953, 1997, 2147.
- Lauderdale County, Act No. 39, approved February 18, 1955, re-establishing the court of county commissioners. H. B. 49, pp. 23, 60, 89, 187, 195, 200.
- Lawrence County, Act No. 147, p. 86, Local Acts of Alabama, 1947, providing for the appointment and compensation of a deputy clerk to the circuit clerk. H. B. 906, pp. 1184, 1323, 1459, 1953, 1998, 2147.
- Lee County, Act No. 301, p. 596, Acts of Alabama, 1951, authorizing the circuit clerk to employ clerical assistance. H. B. 182, pp. 118, 158, 245, 380, 391, 392.
- Limestone County, Act No. 95, p. 67, Local Acts of Alabama, 1947, placing the tax assessor on a salary. H. B. 225, pp. 171, 216, 279, 461, 493, 504.
- Limestone County, Act No. 120, p. 78, Local Acts of Alabama, 1947, placing the tax collector on a salary. H. B. 227, pp. 173, 217, 280, 461, 494, 504.
- Limestone County, Act No. 200, p. 119, Local Acts of Alabama, 1947, consolidating certain county offices under the circuit clerk and providing for his election, term and compensation. H. B. 228, pp. 174, 217, 280, 461, 494, 504.
- Limestone County, Act No. 201, p. 120, Local Acts of Alabama, 1947, placing the probate judge on a salary. H. B. 226, pp. 172, 216, 279, 461, 493, 504.
- Limestone County, Act No. 355, p. 423, Acts of Alabama, 1953, fixing the compensation of the sheriff and his deputies. H. B. 224, pp. 170, 216, 278, 461, 493, 504.
- Marengo County, Act No. 183, p. 106, Local Acts of Alabama, 1935, providing for the qualifications and election of members of the board of education. H. B. 580, pp. 617, 690, 772, 896, 925, 990.
- Marion County, Act No. 82, p. 18, Local Acts of Alabama, 1935, providing for the election, duties and compensation of the superintendent of education. H. B. 908, pp. 1186, 1323, 1460, 1872, 1989, 2146.
- Marion County, Act No. 307, p. 195, Local Acts of Alabama, 1939, authorizing the sheriff to appoint an additional deputy. H. B. 909, pp. 1187, 1323, 1461, 1872, 1989, 2146.
- Marion County, Act No. 198, p. 263, Acts of Alabama, 1953, creating the office of county engineer. H. B. 907, pp. 1185, 1323, 1460, 1872, 1989, 2146.
- Marion County, Act No. 58, approved April 13, 1955, levying a privilege license tax on electric and hydro-electric public utilities. H. B. 632, pp. 699, 759, 794, 895, 927, 990; H. B. 340, pp. 298, 355, 444, 464, 467, 871.
- Marshall County, Act No. 51, p. 61, Acts of Alabama, 1953, establishing the county court. H. B. 979, pp. 1351, 1395, 1603, 1954, 1998, 2148.

## ACTS AMENDED, LOCAL ACTS—Continued

- Mobile County, Act No. 470, p. 298, Local Acts of Alabama, 1939, creating the county-wide civil service system. H. B. 606, pp. 660, 690, 772, 893, 926, 990.
- Mobile County, Act No. 637, p. 1092, Acts of Alabama, 1951, providing for the appointment and compensation of a chief clerk in the office of the tax assessor. H. B. 901, pp. 1154, 1182, 1447, 1871, 1988, 2146.
- Mobile County, Act No. 286, p. 352, Acts of Alabama, 1953, providing for the appointment, duties and compensation of the clerk of the inferior criminal court. H. B. 271, pp. 231, 508, 593, 735, 752, 783.
- Morgan County, Act No. 361, p. 248, Local Acts of Alabama, 1939, providing for the compensation, clerical assistance, and office supplies and equipment for the tax assessor. H. B. 1013, pp. 1560, 1700, 1779, 2017, 2061, 2150.
- Morgan County, Act No. 464, p. 278, Local Acts of Alabama, 1939, providing for the compensation, clerical assistance, and office supplies and equipment for the tax collector. H. B. 1014, pp. 1562, 1702, 1789, 2018, 2061, 2150.
- Morgan County, Act No. 70, p. 34, Local Acts of Alabama, 1943, providing for the compensation, clerical assistance and office supplies and equipment for the judge of probate. H. B. 1015, pp. 1564, 1700, 1778, 2018, 2061, 2150.
- Morgan County, Act No. 64, p. 45, Local Acts of Alabama, 1947, providing for the appointment and compensation of a deputy clerk for the circuit court and county court. H. B. 1021, pp. 1571, 1702, 1791, 2018, 2062, 2150.
- Morgan County, Act No. 66, p. 46, Local Acts of Alabama, 1947, amending the act establishing the county court. H. B. 1023, pp. 1574, 1702, 1792, 2019, 2062, 2150.
- Morgan County, Act No. 263, p. 51, Local Acts of Alabama, 1947, providing for the appointment and compensation of a deputy register for the circuit court. H. B. 1016, pp. 1565, 1702, 1789, 2018, 2062, 2150.
- Morgan County, Act No. 436, p. 789, Acts of Alabama, 1951, fixing the compensation of the superintendent of education. H. B. 1017, pp. 1567, 1702, 1788, 2018, 2062, 2150.
- Morgan County, Act No. 437, p. 789, Acts of Alabama, 1951, fixing the compensation of the chairman and members of the board of revenue and control. H. B. 1019, pp. 1569, 1702, 1786, 2018, 2062, 2150.
- Morgan County, Act No. 424, p. 525, Acts of Alabama, 1953, authorizing the board of revenue and control to provide the sheriff with deputies and jailers. H. B. 1022, pp. 1573, 1702, 1791, 2018, 2062, 2150.
- Pickens County, Act No. 141, p. 167, Acts of Alabama, 1949, providing for the election of members of the board of education. H. B. 233, pp. 178, 217, 282, 462, 494, 504.
- Russell County, Act No. 16, p. 9, Local Acts of Alabama, 1943, providing for the appointment and compensation of deputies to the tax assessor and tax collector. H. B. 1004, pp. 1428, 1551, 1712, 1958, 2002, 2148.

**ACTS AMENDED, LOCAL ACTS—Continued**

- Russell County, Act No. 74, p. 40, Local Acts of Alabama, 1943, providing for the appointment and compensation of the chief clerk to the probate judge. H. B. 1003, pp. 1427, 1550, 1712, 1958, 2002, 2148.
- Russell County, Act No. 75, p. 41, Local Acts of Alabama, 1943, providing for the appointment and compensation of a deputy circuit clerk, H. B. 1002, pp. 1426, 1550, 1711, 1958, 2001, 2148.
- Russell County, Act No. 78, p. 43, Local Acts of Alabama, 1943, providing for the appointment and compensation of a special or general deputy sheriff. H. B. 440, pp. 439, 481, 523, 730, 738, 750.
- Russell County, Act No. 14, p. 14, Local Acts of Alabama, 1947, providing for the appointment and compensation of an additional deputy sheriff. H. B. 439, pp. 438, 481, 522, 730, 737, 750.
- Russell County, Act No. 47, p. 59, Acts of Alabama, 1953, providing for the appointment and compensation of an additional deputy sheriff. H. B. 438, pp. 434, 481, 521, 730, 737, 750.
- St. Clair County, Act No. 109, p. 59, Local Acts of Alabama, 1936-37, providing for the election and compensation of the superintendent of education. H. B. 132, pp. 66, 76, 123, 380, 391, 392.
- Sumter County, Act No. 261, p. 187, Local Acts of Alabama, 1947, creating the board of commissioners. H. B. 919, pp. 1204, 1324, 1467, 1872, 1989, 2146.
- Talladega County, Act No. 461, p. 323, Local Acts of Alabama, 1947, placing the register of the circuit court on a salary and providing office space and clerical assistance. H. B. 279, pp. 234, 269, 305, 462, 495, 504.
- Talladega County, Act No. 86, p. 130, Acts of Alabama, 1953, which amended the act placing the sheriff on a salary. S. B. 191, pp. 1034, 1065, 1172, 1257.
- Tuscaloosa County, Act No. 416, p. 243, Local Acts of Alabama, 1935, authorizing the board of revenue to levy a gasoline tax. H. B. 761, pp. 869, 935, 1023, 1364, 1383, 1534.
- Wilcox County, Act No. 436, p. 261, Local Acts of Alabama, 1939, providing for the duties, power, authority and compensation of members of the court of county commissioners. H. B. 653, pp. 712, 787, 851, 992, 993, 1049.
- Winston County, Act No. 158, p. 69, Local Acts of Alabama, 1927, authorizing the sheriff to appoint an additional deputy. H. B. 143, pp. 70, 76, 124.

**ACTS OF ALABAMA**

- Joint resolution relative to the printing and binding of the acts and journals of the first three 1955 special sessions with the acts and journals of the 1955 regular session. H. J. R. 92, pp. 2027, 2061, 2116, 2150.

**ACTS REPEALED, GENERAL ACTS**

- 1943, Act No. 100, p. 105, General Acts of Alabama, 1943, requiring division of examiners of public accounts to audit the records of a city board of education upon request. H. B. 32, pp. 17, 57, 137.
- 1943, Act No. 101, p. 105, General Acts of Alabama, 1943, regulating the practice in equity cases in the matter of objection to and consideration of testimony and evidence. H. B. 139, p. 68.

## ACTS REPEALED, GENERAL ACTS—Continued

- 1943, Act No. 183, p. 163, Acts of Alabama, 1943, creating the state planning board. H. B. 41, pp. 19, 58, 249, 551, 628, 1737, 1764, 1798, 1834, 1995, 2145.
- 1943, Act No. 205, p. 184, General Acts of Alabama, 1943, exempting agricultural publications from the sales and use taxes. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- 1943, Act No. 560, p. 552, General Acts of Alabama, 1943, regulating the labeling, sale and distribution of agricultural, vegetable and flower seed. H. B. 349, p. 301.
- 1945, Act No. 194, p. 318, General Acts of Alabama, 1945, requiring the division of examiners of public accounts to audit records and accounts of all county offices. H. B. 32, pp. 17, 57, 137.
- 1945, Act No. 313, p. 504, General Acts of Alabama, 1945, exempting magazine subscriptions from the sales and use taxes. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- 1945, Act No. 320, p. 525, General Acts of Alabama, 1945, exempting certain materials used in the construction of ships and vessels from the sales tax. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- 1945, Act No. 321, p. 526, General Acts of Alabama, 1945, exempting certain materials used in the construction of ships and vessels from the use tax. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- 1947, Act No. 351, p. 231, General Acts of Alabama, 1947, creating the department of examiners of public accounts and the legislative committee on public accounts. H. B. 32, pp. 17, 57, 137.
- 1947, Act No. 670, p. 513, General Acts of Alabama, 1947, providing for the pleading, practice and procedure in civil actions. H. B. 598, pp. 659, 755.
- 1949, Act No. 397, p. 568, Acts of Alabama, 1949, exempting certain blind persons from the payment of sales and use taxes. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- 1949, Act No. 424, p. 601, Acts of Alabama, 1949, regulating absentee voting at elections. H. B. 388, p. 368.
- 1949, Act No. 569, p. 896, Acts of Alabama, 1949, regulating proceedings on forfeiture of bail bonds in counties 72,000 or more population. H. B. 297, p. 270.
- 1950, Act No. 62, p. 124, Acts of Alabama, 1951, providing legal counsel for the chief examiner and the department of examiners of public accounts. H. B. 32, pp. 17, 57, 137.
- 1951, Act No. 189, p. 450, Acts of Alabama, 1951, creating the Alabama state docks board. H. B. 230, pp. 176, 212, 322, 415, 610, 612, 648.
- 1951, Act No. 353, p. 640, Acts of Alabama, 1951, providing additional duties and compensation for the chief examiner of public accounts. H. B. 32, pp. 17, 57, 137.
- 1951, Act No. 581, p. 1017, Acts of Alabama, 1951, exempting feed-stuffs from the sales and use taxes. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- 1951, Act No. 585, p. 1019, Acts of Alabama, 1951, exempting insecticides from the sales and use taxes. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.

**ACTS REPEALED, GENERAL ACTS—Continued**

- 1951, Act No. 586, p. 1020, Acts of Alabama, 1951, exempting fungicides from the sales and use taxes. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- 1951, Act No. 587, p. 1020, Acts of Alabama, 1951, exempting certain sales from vending machines from the sales and use taxes. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- 1951, Act No. 705, p. 1245, Acts of Alabama, 1951, providing for the manner in which state-owned textbooks shall be purchased. H. B. 12, p. 12.
- 1951, Act No. 805, p. 1402, Acts of Alabama, 1951, known as "the unfair cigarette sales act." H. B. 188, p. 119.
- 1951, Act No. 861, p. 1496, Acts of Alabama, 1951, requiring owners to brand cattle and register the brands with the department of agriculture and industries. H. B. 278, p. 233.
- 1951, Act No. 878, p. 1515, Acts of Alabama, 1951, exempting cottonseed meal exchanged for cotton seed at gins from the sales and use taxes. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- 1951, Act No. 917, p. 1568, Acts of Alabama, 1951, amending the act providing legal counsel for the chief examiner and the department of examiners of public accounts. H. B. 32, pp. 17, 57, 137.
- 1953, Act No. 430, p. 535, Acts of Alabama, 1953, known as the "right to work act". H. B. 118, pp. 63, 214, 998, 1007, 1091, 1159, 1162, 1367, 1544.
- 1953, Act No. 447, p. 552, Acts of Alabama, 1953, exempting caskets, burial vaults and burial clothes from the sales and use taxes. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- 1953, Act No. 527, p. 734, Acts of Alabama, 1953, authorizing foreign corporations to engage in certain activities without qualifying to do business or payment of certain taxes. H. B. 522, p. 569.
- 1953, Act No. 742, p. 1006, Acts of Alabama, 1953, exempting certain property purchased for use of schools from the sales and use taxes. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- 1953, Act No. 791, p. 1085, Acts of Alabama, 1953, providing for the appointment and compensation of an assistant chief examiner of public accounts. H. B. 32, pp. 17, 57, 137.
- 1953, Act No. 813, p. 1096, Acts of Alabama, 1953, transferring certain surplus of the Alabama special educational trust fund to the Alabama state building commission. H. B. 886, p. 1139; H. B. 860, p. 1083.
- 1953, Act No. 839, p. 1130, Acts of Alabama, 1953, exempting fuel oil for kiln use from the sales and use taxes. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- 1953, Act No. 852, p. 1143, Acts of Alabama, 1953, exempting municipal recreational and athletic activities from the sales and use taxes. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- 1953, Act No. 884, p. 1189, Acts of Alabama, 1953, authorizing cities 6,000 or more population to finance and construct certain public improvements outside the corporate limits and within the police jurisdiction of such cities. H. B. 330, pp. 276, 471, 561; S. B. 241, pp. 1736, 1773, 1906, 2024.

## ACTS REPEALED, GENERAL ACTS—Continued

1955, Act No. 46, approved April 6, 1955, regulating the sale of eggs. H. B. 858, p. 1081.

1955, Act No. 65, approved April 13, 1955, regulating the production, handling, processing and distribution of milk for human consumption. H. B. 264, p. 228.

## ACTS REPEALED, LOCAL ACTS

Blount County, Act No. 447, p. 799, Acts of Alabama, 1951, regulating the nomination and election of members of the board of education. H. B. 657, pp. 761, 787, 850, 1087, 1104.

Chambers County, Act No. 30, p. 24, Local Acts of Alabama, 1947, authorizing the circuit clerk to appoint a clerk. H. B. 1008, pp. 1554, 1701, 1785, 2010, 2023, 2149; S. B. 363, pp. 1855, 1891, 2030.

Colbert County, Act No. 227, p. 293, Acts of Alabama, 1953, creating the office of commissioner of public schools. H. B. 511, pp. 565, 614, 671, 907, 923, 990, 1111; H. B. 904, pp. 1156, 1183, 1455.

Colbert County, Act No. 72, approved April 13, 1955, abolishing the office of commissioner of public schools. H. B. 511, pp. 565, 614, 671, 907, 923, 990, 1111.

Escambia County, Act No. 349, p. 415, Acts of Alabama, 1953, providing an expense allowance to the members of the board of revenue. H. B. 873, pp. 1128, 1182, 1451.

Franklin County, Act No. 5, p. 6, Acts of Alabama, 1869, re-establishing Colbert County out of a portion of Franklin County. H. B. 800, pp. 948, 1005, 1105.

Franklin County, Act No. 337, p. 436, Acts of Alabama, 1869, requiring officers of the county to transfer certain papers, records and property to like officers of Colbert County. H. B. 801, pp. 948, 1005, 1105.

Lawrence County, Act No. 18, p. 220, Acts of Alabama, 1951, creating a board of revenue. H. B. 262, pp. 224, 268, 304, 1055, 1086, 1104.

Marshall County, Act No. 408, p. 508, Acts of Alabama, 1953, transferring criminal jurisdiction from justices of the peace to the county court. H. B. 979, pp. 1351, 1395, 1603, 1954, 1998, 2148.

Mobile County, Act No. 241, p. 139, Local Acts of Alabama, 1935, regulating the payment of the salary of the tax collector. H. B. 634, pp. 704, 758, 793, 895, 927, 990.

Mobile County, Act No. 242, p. 141, Local Acts of Alabama, 1935, regulating the payment of the salary of the tax assessor. H. B. 634, pp. 704, 758, 793, 895, 927, 990.

Pike County, Act No. 343, p. 138, Local Acts of Alabama, 1919, regulating the fine and forfeiture fund. H. B. 491, pp. 511, 563, 626, 736, 753, 783.

Winston County, Act No. 203, p. 121, Local Acts of Alabama, 1947, authorizing the sheriff to appoint three additional deputies. H. B. 142, pp. 69, 76, 123.

## AUDITORS

Entering by trial court, filing under protest and appeals therefrom. H. B. 267, p. 228.



**ADMINISTRATION OF ESTATES**

Claims against estate of decedent, time for presentation of, code section amended. H. B. 247, pp. 221, 352, 540.

Executors and administrators, persons disqualified to serve as, code section amended. H. B. 175, pp. 116, 999.

Homestead exempt from administration and payment of debts, code sections amended. H. B. 427, pp. 434, 558, 1290.

Order of granting letters of administration, code section amended. S. B. 339, p. 1375.

Probate and record of wills previously admitted to probate and record in courts outside this state, code section amended. H. B. 144, pp. 76, 477.

Probate jurisdiction, certain persons in service of federal government deemed to be residents of Alabama for purposes of, H. B. 124, pp. 64, 352, 539, 2110, 2121, 2150.

Special administrators, authority of, code section amended. H. B. 667, pp. 765, 999; H. B. 218, p. 169.

Suits against executors and administrators, time for commencement, code section amended. H. B. 248, pp. 221, 352, 541.

Suits pending against executors and administrators, effect of report of insolvency on, code section amended. H. B. 249, pp. 221, 352, 541.

**ADOPTION**

Adopting parents, right of inheritance to property of adopted child, provided for. H. B. 672, pp. 766, 1111, 1246.

**AD VALOREM TAX**

Board of equalization, county, appointment and terms of members, code section amended. H. B. 524, p. 569.

Board of equalization, county, terms of service and compensation of members, code section amended. H. B. 523, p. 569.

Butler County, for school purposes, constitutional amendment. H. B. 745, pp. 864, 934, 1020, 1365, 1383, 1535.

Chilton County, for school purposes, constitutional amendment. H. B. 991, pp. 1404, 1550, 1709, 1957, 1976.

Constitutional amendment, additional levy for public school purposes. H. B. 372, pp. 365, 398; S. B. 35, pp. 930, 1003, 1531, 1963, 1977, 2023.

Counties authorized to pledge proceeds of, in the purchase of voting machines. H. B. 437, p. 437.

Elmore County, for school purposes, constitutional amendment. H. B. 409, pp. 403, 481; H. B. 204, pp. 161, 216, 277.

Equalization of assessed property valuations among the counties, code section amended. H. B. 536, pp. 571, 1114.

Exemptions from, code section amended. H. B. 477, pp. 509, 558, 683; H. B. 298, p. 270; H. B. 445, p. 442; H. B. 542, p. 573; H. B. 284, p. 236.

## AD VALOREM TAX—Continued

- Exemptions from, veterans included in. H. B. 284, p. 236.
- Freight lines and equipment companies, code section amended. H. B. 518, p. 569.
- Homestead exempt from, code section amended. H. B. 445, p. 442; H. B. 542, p. 573.
- Lee County, cities of Auburn and Opelika, for school purposes, constitutional amendment. H. B. 783, pp. 944, 1005, 1097, 1369, 1385, 1535.
- Lee County, for school purposes, constitutional amendment. H. B. 754, pp. 865, 934, 1020, 1365, 1383, 1535.
- Liens for, code section amended. H. B. 394, p. 398.
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- Montgomery County, for school purposes, constitutional amendment. S. B. 71, pp. 207, 268, 302, 345; H. B. 181, pp. 118, 158, 244.
- Non-producing interests upon oil, gas and other minerals, created, transferred, or registered, exempt from. H. B. 192, pp. 159, 756, 1850.
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- Real property, program for equal assessment of urged, joint resolution. S. J. R. 12, p. 454.
- Russell County, for school purposes, constitutional amendment. H. B. 636, pp. 705, 760, 798, 895, 927, 991.
- Sewers, special tax for construction, acquisition of, counties levying may issue general obligation bonds or certificates of indebtedness. H. B. 725, pp. 839, 863, 955, 1363, 1384, 1534.
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- Privilege license tax levied on sellers of. H. B. 604, p. 660; H. B. 291, pp. 237, 1762.

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- Highway department authorized to construct roads on, act amended to include walkways and vehicular parking areas. H. B. 336, pp. 297, 478, 1255, 2110, 2121, 2150.

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- Appropriation, operation of the coliseum. H. B. 177, pp. 117, 216, 424, 528, 536, 549.
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Roads on lands used by, state highway department to construct and maintain. S. B. 127, pp. 477, 862, 1905, 2007.

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- Poultry processing plant, authorized to acquire and operate in Walker County. H. B. 96, pp. 37, 558, 1768, 1811.

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- Agricultural products, accurate weighing of, provided for. H. B. 461, pp. 483, 560, 1808.
- Appropriation, additional, enforcement of state seed law. H. B. 487, p. 511.
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- Appropriation, constructing, repairing and equipping armories. H. B. 39, pp. 19, 58, 107, 241, 260, 294; H. B. 586, pp. 620, 1114, 1489, 1982, 2011, 2148.
- Motor vehicle license plates, distinctive, for members of. S. B. 193, pp. 932, 1006, 1543; H. B. 563, pp. 615, 757.

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- Cities authorized to acquire site on which to construct. H. B. 238, pp. 184, 216, 292, 293, 454, 460, 473.

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- Counties may issue warrants, certificates of indebtedness, for purpose of acquiring. H. B. 550, pp. 586, 653, 731, 2020, 2057, 2149.

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- Recognized as an organization and representative agency of the members of the various school boards. S. B. 117, pp. 383, 478, 1694, 1762.

## ALABAMA BOYS INDUSTRIAL SCHOOL

- Appropriation. H. B. 211, pp. 168, 835, 878, 880, 887, 922, 1670, 1700, 1812, 1835, 1995, 2145.

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- Appropriation. H. B. 88, p. 33; H. B. 211, pp. 168, 835, 878, 880, 887, 922, 1670, 1700, 1812, 1835, 1995, 2145.
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## ALABAMA COMMISSION ON ALCOHOLISM

- Created. H. B. 180, p. 117.

## ALABAMA EDUCATIONAL TELEVISION COMMISSION

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Appropriation. H. B. 88, p. 33; H. B. 211, pp. 168, 835, 878, 880, 887, 922, 1670, 1700, 1812, 1835, 1995, 2145.

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Colbert County, sale of, regulated. H. B. 7, pp. 10, 59, 87, 187, 194, 200.

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Counties 63,750 to 72,750 population, proceedings on forfeitures of. H. B. 140, pp. 68, 116, 311, 851, 1054, 1085, 1104.

Counties 72,000 or more population, proceedings on forfeiture of, act repealed. H. B. 297, p. 270.

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Grand jury in each county required to examine and investigate after each election. H. B. 384, pp. 368, 556.

Manner of voting when straight ticket does not contain names of all candidates, code section amended. H. B. 691, pp. 789, 1003.

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**BANKING DEPARTMENT, STATE**

Created. H. B. 30, pp. 16, 59, 254, 261, 857, 881, 994, 1058, 1103.

## BANKS AND BANKING

- Baldwin County, savings and loan associations, branch office in Fairhope, authorized. H. B. 457, pp. 482, 508, 594, 735, 752, 783.
- Bank deposits of deceased persons, to whom and how paid, code section amended. H. B. 673, pp. 766, 831.
- Branch banks, prohibited except in counties 200,000 or more population. H. B. 95, pp. 37, 213, 328, 467, 493, 504.
- Bureau of loans, act creating amended. H. B. 605, pp. 660, 955, 998, 1080, 1087, 1391, 1543.
- Charging of exchange by banks, code section amended. H. B. 590, p. 622.
- Counties 65,000 to 75,000 population, branch banks authorized. H. B. 229, pp. 176, 217, 281, 464, 494, 504.
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- Financial institutions, net operating losses to apply as a deduction against prior and future income. H. B. 857, pp. 1081, 1112, 1493, 2120, 2125, 2151.
- Funds credited to depositor's account through error, withdrawal of, regulated. H. B. 11, pp. 12, 212, 324, 385, 2142, 2143, 2151.
- Lawrence County, branch banks authorized. H. B. 429, pp. 435, 481, 521, 730, 737, 750.
- Loans to any one person, firm, or corporation, code section limiting amount of, amended. S. B. 63, pp. 187, 216, 425, 429.
- Money lenders, regulating, act amended. H. B. 605, pp. 660, 955, 998, 1080, 1087, 1391, 1543.
- Property, unclaimed, to be paid over to state superintendent of banks. H. B. 713, p. 838.
- Safe deposit boxes, banks renting or leasing authorized to limit by contract their liability in respect to. H. B. 764, p. 938.
- State banking department, created. H. B. 30, pp. 16, 59, 254, 261, 857, 881, 994, 1058, 1103.
- Sundays and certain other days designated as legal holidays, code section amended. H. B. 151, pp. 78, 213, 330.
- Tax on financial institutions, code section amended. H. B. 320, pp. 275, 653; S. B. 218, pp. 1736, 1773, 1967, 2127, 2136.
- Unlawful for any employee or officer to disclose the balance in the account of any depositor. H. B. 950, pp. 1228, 1320, 1833.
- Usurious interest paid, recovery of, code section amended. H. B. 5, p. 7; H. B. 807, p. 952.

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- Escambia County, regulated and licensed. H. B. 205, pp. 161, 216, 277, 462, 493, 504.

**BARBERS—Continued**

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State board of barber examiners, created. H. B. 193, pp. 159, 690, 807, 1036, 1434, 1511.

**BARBITURATES**

Paregoric, unlawful to sell without written prescription. H. B. 662, p. 765.  
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**BARBOUR COUNTY**

Eufaula, city of, boundaries altered. H. B. 3, pp. 6, 59, 85, 187, 194, 200; S. B. 31, pp. 97, 115, 186.

**BAR, STATE**

State bar examinations, admittance of applicants to. H. B. 47, pp. 20, 56, 127.

**BEARDEN, CHARLES**

Marshall County, relief of. H. B. 466, pp. 486, 508, 596, 736, 753, 783.

**BEER**

Beer licenses, applications for, code section amended. H. B. 318, pp. 275, 396.  
Counties 400,000 or more population, tax on, act amended. H. B. 937, pp. 1226, 1327, 1480, 1873, 1990, 2147.

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Appropriation for control and eradication of. H. B. 334, pp. 297, 1002, 1485, 2128, 2134, 2151; H. B. 335, p. 297.

**BESSEMER, CITY OF**

Civil and criminal court, created. H. B. 969, pp. 1344, 1398, 1704, 2021, 2058, 2149.

**BEVERAGES**

Marion County, privilege license, producers, bottler and distributors of soft drinks, calling an election to authorize. H. B. 633, pp. 700, 759, 795.  
Privilege license tax levied on bottlers, producers, and distributors of soft drinks. H. B. 380, p. 367; H. B. 582, p. 619.  
Soda water and other soft drinks, adulteration of, code section amended. H. B. 430, p. 436.  
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**BIRMINGHAM, CITY OF**

Boundaries altered. H. B. 993, pp. 1408, 1551, 1716, 1957, 2001, 2148; H. B. 994, pp. 1409, 1551, 1717, 1957, 2001, 2148; H. B. 995, pp. 1411, 1552, 1718, 1957, 2001, 2148.  
Commissioners, election. H. B. 944, pp. 1227, 1326, 1476, 1876, 1993, 2147.

## BIRMINGHAM, CITY OF—Continued

- Commissioners, salary. H. B. 942, pp. 1226, 1327, 1477, 1876, 1993, 2147.
- Form of government, election to authorize change in. H. B. 966, pp. 1341, 1397, 1612, 1874, 1991, 2147.
- Governing body, time of meetings regulated. H. B. 395, pp. 398, 430, 497, 554, 609.
- Mayor-council form of government, election to vote on. H. B. 974, pp. 1348, 1397, 1612, 1875, 1992, 2147.
- Powell Avenue, certain part of closed for public street purposes. H. B. 540, pp. 571, 654, 720, 894, 924, 990.
- Retirement and relief system, act amended. H. B. 600, pp. 659, 760, 802, 897, 928, 990; H. B. 962, pp. 1340, 1396, 1609, 1874, 1991, 2147.
- Retirement and relief system for certain employees of, provided. H. B. 996, pp. 1413, 1552, 1718, 1957, 2001, 2148.
- Zoning of territory annexed to, regulated. H. B. 817, pp. 1014, 1065, 1172, 1513, 1538, 1696.
- Zoning regulations, authorized to amend, supplement, or repeal. H. B. 818, pp. 1014, 1122, 1241, 1513, 1538, 1696.

## BLIND PERSONS

- Alabama institute for deaf and blind, appropriation. H. B. 88, p. 33; H. B. 211, pp. 168, 835, 878, 880, 887, 922, 1670, 1700, 1812, 1835, 1995, 2145.
- Alabama institute for deaf and blind authorized to maintain, develop and supervise work shops and home industries for. H. B. 304, pp. 272, 480, 674, 2109, 2120, 2150.
- Income tax, additional personal exemption for. H. B. 186, p. 119.
- Products and services purported to be blind-made, sale and distribution of, regulated. H. B. 302, pp. 271, 480, 674, 2109, 2120, 2151.
- Sales and use taxes, certain stores operated by blind persons exempt from, act repealed. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.
- Stands to be operated by, in buildings and on properties of the state and political subdivisions, authorized. H. B. 303, pp. 271, 482, 675, 2110, 2120, 2150.

## BLOUNT COUNTY

- Board of education, election, duties, compensation. H. B. 657, pp. 761, 787, 850, 1087, 1104.
- Board of finance and control, created. H. B. 954, pp. 1328, 1395, 1604, 1868, 1878, 1898, 1985, 2146.
- Board of revenue, abolished. H. B. 954, pp. 1328, 1395, 1604, 1868, 1878, 1898, 1985, 2146.
- Judge, circuit, compensation. S. B. 9, pp. 98, 558, 743, 780.
- Judge, circuit, compensation, act amended. H. B. 931, pp. 1221, 1320, 1445, 1870, 1987, 2146; H. B. 1028, p. 1581.
- Oneonta, city of, boundaries altered. H. B. 242, pp. 218, 268, 303, 461, 494, 504.



**BLOUNT COUNTY—Continued**

School term, regulated. H. B. 657, pp. 761, 787, 850, 1087, 1104.

Superintendent of education, election, duties, compensation, act amended. H. B. 658, pp. 763, 787, 849, 1048, 1059, 1103.

**BLUE AND GRAY FOOTBALL GAME**

Appropriation to sponsor. S. B. 316, pp. 1673, 1704, 1809, 1834, 1847.

**BOARD OF APPORTIONMENT**

Created, constitutional amendment. H. B. 406, p. 403.

**BOARD OF BARBER EXAMINERS, STATE**

Created. H. B. 193, pp. 159, 690, 807, 1036, 1434, 1511.

**BOARD OF CHIROPRACTIC EXAMINERS, STATE**

Created. H. B. 425, p. 433.

**BOARD OF COMMISSIONERS**

Sumter County, act creating amended. H. B. 919, pp. 1204, 1324, 1467, 1872, 1989, 2146.

**BOARD OF CORRECTIONS, STATE**

County convicts, delivery to and imprisonment of by state, code sections amended. S. B. 98, pp. 425, 556, 1528, 1543.

Draper prison, joint resolution requesting state board of education to locate trade school at. H. J. R. 70, pp. 1544, 1672, 1699, 1770.

Execution of death sentence, method, time and place of, code sections amended. H. B. 173, pp. 116, 266, 465.

Guards employed by, minimum salary. H. B. 619, p. 665.

Revolving fund created for. H. B. 671, pp. 766, 1000.

Tubercular convicts, care and treatment of, code section amended. H. B. 650, p. 711.

**BOARD OF COSMETOLOGY, STATE**

Created. H. B. 557, pp. 587, 1321, 1820.

**BOARD OF EDUCATION, CITY**

Association of school board members recognized as an organization and representative agency of members of. S. B. 117, pp. 383, 478, 1694, 1762.

Bonds, issuance of validated prior to issuance, act amended. H. B. 641, p. 707.

City schools, educational policy of, code section amended. H. B. 448, p. 442.

Definition of the word "city," code section amended. H. B. 64, pp. 27, 268, 388, 475, 496, 504.

Gasoline for use in school buses, exempt from payment of tax levied on. H. B. 103, p. 60.

Group life, health, accident and hospitalization insurance for officers and employees of, act amended. H. B. 368, pp. 364, 756.

## BOARD OF EDUCATION, CITY—Continued

Handicapped children, authorized to provide education for. H. B. 300, pp. 270, 863, 985, 1032, 1369, 1384, 1395, 1534.

Insured retirement plans for officers and employees of, act amended. H. B. 368, pp. 364, 756.

Motor vehicles, driving upon school grounds at place other than driveway or parking place without consent of. H. B. 37, pp. 18, 212, 328, 422.

Placement or assignment of pupils to schools. H. B. 296, pp. 270, 559, 780, 816, 931, 952, 991, 1309, 1313; S. B. 52, pp. 607, 612, 781, 785, 786, 837, 2127.

Retirement income policies, individual annuity contracts, or group annuity contracts issued to, validated. H. B. 369, pp. 364, 758.

Sales and use taxes, certain property purchased for use of schools exempt from, act repealed. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.

School bus drivers, minimum salary prescribed. H. B. 26, p. 16.

Separate schools for white and colored children, code section requiring maintenance of, repealed. S. B. 52, pp. 607, 612, 781, 785, 786, 837, 2127; H. B. 296, pp. 270, 559, 780, 816, 931, 952, 991, 1309, 1313.

Teachers, retired, employment of provided for. H. B. 726, pp. 840, 1002, 1289, 2004, 2011, 2149.

## BOARD OF EDUCATION, COUNTY

Association of school board members recognized as an organization and representative agency of members of. S. B. 117, pp. 383, 478, 1694, 1762.

Blount County, election, duties, compensation. H. B. 657, pp. 761, 787, 850, 1087, 1104.

Bonds, issuance of validated prior to issuance, act amended. H. B. 641, p. 707.

Butler County, election, act amended. H. B. 463, pp. 484, 508, 595, 735, 752, 783.

Counties 19,000 to 20,000 population, authorized to fix compensation of superintendent of education. H. B. 114, pp. 63, 76, 121, 207, 209, 258.

Counties 22,750 to 23,500 population, cancellation of contracts with teachers by unanimous vote, authorized. H. B. 989, pp. 1403, 1550, 1708, 2009, 2022, 2149.

Counties 22,750 to 23,500 population, required to cancel contract with teacher who advocates integration of the races in public schools. H. B. 989, pp. 1403, 1550, 1708, 2009, 2022, 2149.

Counties 63, 750 to 27,750 population, authorized to provide clerical assistance for high school principals. H. B. 333, pp. 277, 295, 370.

Counties 94,000 to 134,000 population, meetings of, regulated. H. B. 934, pp. 1225, 1325, 1470, 1873, 1990, 2147.

DeKalb County, election. H. B. 932, pp. 1221, 1325, 1470, 1873, 1990, 2147.

## BOARD OF EDUCATION, COUNTY—Continued

Gasoline for use in school buses, exempt from payment of tax levied on. H. B. 103, p. 60.

Geneva County, abolished. S. B. 376, p. 1861.

Geneva County, created. S. B. 376, p. 1861.

Group life, health, accident and hospitalization insurance for officers and employees of, act amended. H. B. 368, pp. 364, 756.

Handicapped children, authorized to provide education for. H. B. 300, pp. 270, 863, 985, 1032, 1369, 1384, 1395, 1534.

Insured retirement plans for officers and employees of, act amended. H. B. 368, pp. 364, 756.

Lamar County, meetings regulated. H. B. 976, pp. 1349, 1394, 1597, 1868, 1985, 2146.

Lawrence County, issuance of bonds for school building purposes, authorized, constitutional amendment. S. B. 234, pp. 912, 936, 1024, 1088.

Limestone County, election and term. H. B. 547, pp. 582, 614, 669, 893, 924, 990.

Macon County, authorized to discharge any teacher without cause or hearing. S. B. 355, pp. 1673, 1701, 1784, 1847.

Marengo County, qualifications and election, act amended. H. B. 580, pp. 617, 690, 772, 896, 925, 990.

Motor vehicles, driving upon school grounds at place other than driveway or parking place without consent of, penalty for. H. B. 37, pp. 18, 212, 328, 422.

Pickens County, duties, act amended. H. B. 233, pp. 178, 217, 282, 462, 494, 504.

Placement and assignment of pupils, additional compensation for performance of duties relating to, constitutional amendment. H. B. 767, pp. 938, 1004.

Placement or assignment of pupils to schools. S. B. 52, pp. 607, 612, 781, 785, 786, 837, 2127; H. B. 296, pp. 270, 559, 780, 816, 931, 952, 991, 1309, 1313.

Retirement income policies, individual annuity contracts, or group annuity contracts issued to, validated. H. B. 369, pp. 364, 758.

Sales and use taxes, certain property purchased for use of schools exempt from, act repealed. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.

School bus drivers, minimum salary. H. B. 26, p. 16.

Teachers, retired, employment of, provided for. H. B. 726, pp. 840, 1002, 1289, 2004, 2011, 2149.

Wilcox County, attendance of children at school, regulated. H. B. 609, pp. 662, 690, 771, 897, 926, 990.

Winston County, abolished. H. B. 1027, pp. 1579, 1702.

Winston County, heaters in school buses, required. H. B. 743, pp. 846, 863, 917, 1958, 2000, 2148.

Winston County, school bus drivers, minimum salary. H. B. 743, pp. 846, 863, 917, 1958, 2000, 2148.

## BOARD OF EDUCATION, COUNTY—Continued

Winston County, school bus drivers under twenty-five years of age, prohibited from employing. H. B. 743, pp. 846, 863, 917, 1958, 2000, 2148.

## BOARD OF EDUCATION, STATE

Association of school board members recognized as an organization and representative agency of members of. S. B. 117, pp. 383, 478, 1694, 1762.

Attendance of pupils at school, authorized to adopt rules and regulations governing, code section repealed. S. B. 52, pp. 607, 612, 781, 785, 786, 837, 2127; H. B. 296, pp. 270, 559, 780, 816, 931, 952, 991, 1309, 1313.

Draper prison, joint resolution requesting the location of a trade school at. H. J. R. 70, pp. 1544, 1672, 1699, 1770.

Handicapped children, authorized to establish rules and regulations governing education of. H. B. 300, pp. 270, 863, 985, 1032, 1369, 1384, 1395, 1534.

Montgomery, city of, joint resolution requesting the location of a vocational trade school in. H. J. R. 76, pp. 1808, 1834, 1846.

Russell County, joint resolution requesting the location of a vocational trade school in. H. J. R. 80, pp. 1892, 1908, 1997, 2147.

Teachers, retired, employment of provided for. H. B. 726, pp. 840, 1002, 1289, 2004, 2011, 2149.

Vocational trade schools, required to construct and maintain in Covington and Cullman Counties. H. B. 422, p. 433.

## BOARD OF EQUALIZATION, COUNTY

Appointment and terms of members, code section amended. H. B. 524, p. 569.

Equalization of assessed property valuations among the counties, code section amended. H. B. 536, pp. 571, 1114.

Terms of service and compensation of members, code section amended. H. B. 523, p. 569.

## BOARD OF FINANCE AND CONTROL

Blount County, created. H. B. 954, pp. 1328, 1395, 1604, 1868, 1878, 1898, 1985, 2146.

## BOARD OF NURSES' EXAMINERS AND REGISTRATION

Licensed practical nurses, examination and licensing of, act amended. H. B. 122, pp. 64, 114, 285, 1386, 1433, 1534.

Registered nurses, examination and licensing of, act amended. H. B. 123, pp. 64, 114, 286, 1386, 1434, 1534.

## BOARD OF PENSIONS AND SECURITY, COUNTY

Created in each county. H. B. 171, p. 85; H. B. 17, pp. 13, 268, 503, 551, 745, 752, 1979, 2003, 2020, 2148.

## BOARD OF PENSIONS AND SECURITY, STATE

Created. H. B. 171, p. 85; H. B. 17, pp. 13, 268, 503, 551, 745, 752, 1979, 2003, 2020, 2148.

## BOARD OF PLACEMENT

Created in each school attendance district. H. B. 296, pp. 270, 559, 780, 816, 931, 952, 991, 1309, 1313; S. B. 52, pp. 607, 612, 781, 785, 786, 837, 2127.

## BOARD OF REGISTRARS

Attorney general to provide copy of laws relating to registration and qualifications of electors. H. B. 261, pp. 224, 395, 739.

Calhoun County, reidentification of voters. S. B. 275, pp. 1363, 1392.

Circuit solicitors designated as representatives of the attorney general in regard to reidentification and registration of voters. H. B. 953, pp. 1231, 1545.

Counties 47,000 to 52,000 population, reidentification of voters. S. B. 294, p. 1362.

Counties 56,500 to 72,500 population, reidentification of voters. S. B. 315, pp. 1362, 1393, 1592, 1743.

Counties 63,750 to 72,850 population, reidentification of voters. H. B. 827, pp. 1016, 1064, 1170.

Counties 75,000 to 130,000 population, reidentification of voters. S. B. 275, pp. 1363, 1392.

DeKalb County, reidentification of voters. H. B. 992, pp. 1404, 1708, 1794, 2009, 2022, 2149.

Elmore County, reidentification of voters. H. B. 411, pp. 404, 430, 499, 894, 923, 990.

Etowah County, reidentification of voters. S. B. 275, pp. 1363, 1392.

Lauderdale County, reidentification of voters. H. B. 48, pp. 20, 59, 89, 187, 195, 200.

Meetings, code section amended. H. B. 625, pp. 691, 1115.

Registration and purgation of voters, act amended. H. B. 746, pp. 864, 934.

Reidentification of voters. S. B. 130, pp. 988, 998, 2126, 2142; H. B. 289, p. 237.

Talladega County, defining persons presumed to be qualified electors. S. B. 36, pp. 136, 137, 159, 246, 284.

Tuscaloosa County, reidentification of voters. S. B. 275, pp. 1363, 1392.

## BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Appropriation, additional. H. B. 854, pp. 1079, 1111.

## BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS, ENGINEERS-IN-TRAINING, AND LAND SURVEYORS

Created. H. B. 855, pp. 1079, 1111.

## BOARD OF REVENUE

Blount County, abolished. H. B. 954, pp. 1328, 1395, 1604, 1868, 1878, 1898, 1985, 2146.

## BOARD OF REVENUE—Continued

- Clerks of, payment of compensation, regulated. H. B. 113, pp. 62, 113, 284, 528, 536, 549.
- Colbert County, to provide solicitor of the law and equity court with office space and telephone service. H. B. 905, pp. 1158, 1182, 1449, 1872, 1989, 2146.
- Counties 24,500 to 25,725 population, expense allowance. H. B. 398, pp. 402, 430, 497, 639, 646, 648.
- Counties 29,500 to 30,500 population, compensation. H. B. 760, pp. 869, 935, 1022, 1364, 1383, 1534.
- DeKalb County, abolished. H. B. 894, pp. 1142, 1183, 1589, 1882, 1996, 2147.
- Escambia County, expense allowance, repealed. H. B. 873, pp. 1128, 1182, 1451.
- Etowah County, abolished. H. B. 876, pp. 1133, 1183, 1456, 1853, 1995, 2145.
- Etowah County, created. H. B. 876, pp. 1133, 1183, 1456, 1853, 1995, 2145.
- Jackson County, act creating amended. H. B. 845, pp. 1076, 1120, 1442, 1953, 1997, 2147.
- Lauderdale County, act abolishing amended. H. B. 49, pp. 23, 60, 89, 187, 195, 200.
- Lawrence County, abolished. H. B. 262, pp. 224, 268, 304, 1055, 1086, 1104.
- Limestone County, authorized to levy additional taxes for fire protection, constitutional amendment. H. B. 545, pp. 576, 614, 668, 893, 924, 991.
- Limestone County, authorized to provide fire protection. H. B. 548, pp. 583, 614, 670, 893, 925, 990.
- Limestone County, authorized to provide protection against forest fires. H. B. 544, pp. 574, 613, 667, 893, 924, 990.
- Limestone County, election. H. B. 549, pp. 585, 614, 672, 893, 925, 990.
- St. Clair County, created. H. B. 162, pp. 81, 115, 185.
- Winston County, created. H. B. 237, pp. 180, 217, 283, 462, 494.

## BOARD OF REVENUE AND CONTROL

- Chilton County, act creating amended. H. B. 1009, pp. 1555, 1701, 1783.
- Marshall County, created. H. B. 756, pp. 866, 934, 1021, 1364, 1383, 1534.
- Morgan County, act authorizing to provide sheriff with deputies and jailers, amended. H. B. 1022, pp. 1573, 1702, 1791, 2018, 2062, 2150.
- Morgan County, compensation, act amended. H. B. 1019, pp. 1569, 1702, 1786, 2018, 2062, 2150.

## BOARD OF REVENUE AND ROAD COMMISSIONERS

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- Incentive awards to cities levying additional taxes for school purposes, appropriation to provide. H. B. 765, p. 938.
- Incorporation of, validated in certain cases. H. B. 638, pp. 706, 891, 1515, 2129, 2134, 2151; H. B. 551, pp. 587, 354, 732, 896, 925, 990.
- Insured retirement plans for officers and employees of, act amended. H. B. 368, pp. 364, 756.
- Liability of, for damages, code section amended. H. B. 332, p. 277.
- Mayor and aldermen, election and duties, code section amended. H. B. 325, pp. 275, 396; S. B. 221, pp. 1675, 1773, 1962, 2007.
- Mayor, salary and duties, code section amended. S. B. 219, pp. 1389, 1547, 1958, 2024; H. B. 326, pp. 275, 396.
- Medical clinics, incorporation of a board for the purpose of acquiring and operating, authorized. H. B. 584, pp. 620, 758, 1027, 1058, 2033, 2057, 2108, 2112, 2149.
- Motor vehicle license and registration fee, authorized to levy and collect. H. B. 560, pp. 590, 757.
- Off-street parking facilities, authorized to acquire and operate. H. B. 313, p. 273.
- Ordinances of, publication and recording of, code section amended. H. B. 223, pp. 170, 214, 423.
- Planning commissions, composition of. H. B. 946, pp. 1227, 1326, 1474, 1877, 1994, 2147.
- Planning commissions, procedure regulated, code section amended. H. B. 936, pp. 1225, 1327, 1481, 1873, 1990, 2147.
- Post offices, authorized to acquire and lease to federal government properties suitable for use as. S. B. 226, pp. 1389, 1548, 1966, 2024; H. B. 314, pp. 273, 395.
- Properties, publicly-owned, insuring of, in mutual insurance companies, authorized. H. B. 489, p. 511.
- Public corporation, incorporation of in municipality for purpose of acquiring, constructing and maintaining buildings for use by the municipality, authorized. S. B. 243, pp. 1387, 1549, 1902, 2025; H. B. 329, pp. 276, 560.
- Public corporation authorized to transfer water, sewer, gas and electric system to municipality. H. B. 643, pp. 707, 832, 1517.
- Recorder in cities having commission form of government, election and compensation, code section amended. H. B. 324, pp. 275, 396, 1520, 2133, 2135, 2151.
- Retirement income policies, individual annuity contracts, or group annuity contracts issued to, validated. H. B. 369, pp. 364, 758.

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Telephone service exchange, authorized to impose excise tax on. H. B. 442, pp. 441, 557.

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Water, gas, electric and sewer services, authorized to charge higher rates for services rendered beyond corporate limits. H. B. 316, pp. 274, 396.

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Water, sewer, gas, or electric systems, issuance of bonds for acquisition or extension of, code section amended. H. B. 647, p. 710.

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Waterworks system, authorized to acquire, operate and extend whether located within or without corporate limits, code section amended. H. B. 339, pp. 298, 1004, 1292, 2133, 2135, 2151.

## CITIES 6,000 POPULATION OR LESS

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## CITIES 6,000 OR MORE POPULATION

Public improvements, financing and construction of outside the corporate limits and within the police jurisdiction of, act repealed. H. B. 330, pp. 276, 471, 561; S. B. 241, pp. 1736, 1773, 1906, 2024.

**CITIES 5,000 OR MORE POPULATION—Continued**

Public improvements, financing and construction of outside the corporate limits and within the police jurisdiction of, authorized. H. B. 330, pp. 276, 471, 561; S. B. 241, pp. 1736, 1773, 1906, 2024.

**CITIES 6,125 TO 6,725 POPULATION**

Council-mayor form of government, election of governing body. H. B. 53, pp. 25, 1110, 1232, 1869, 1986, 2146.

**CITIES 6,500 TO 6,900 POPULATION**

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**CITIES 7,000 POPULATION OR LESS**

Census authorized to be taken in, effect of, code section amended. H. B. 327, pp. 275, 396.

**CITIES 35,000 TO 55,000 POPULATION**

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**CITIES 45,000 TO 54,000 POPULATION**

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**CITIES 50,000 TO 100,000 POPULATION**

Weeds growing upon vacant property, removal of. H. B. 749, pp. 864, 936, 1024.

**CITIES 200,000 OR MORE POPULATION**

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Commissioners, election. H. B. 944, pp. 1227, 1326, 1476, 1876, 1993, 2147.

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Zoning regulations, authorized to amend, supplement, or repeal. H. B. 818, pp. 1014, 1122, 1241, 1513, 1538, 1696.

**CITY**

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**CIVIL AND CRIMINAL COURT**

Jefferson County, city of Bessemer, established. H. B. 969, pp. 1344, 1398, 1704, 2021, 2058, 2149.

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**CIVIL AND POLITICAL RIGHTS**

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**CIVIL CASES**

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Witnesses, competency of parties as, code section amended. H. B. 283, p. 236.

**CIVIL DEFENSE, DEPARTMENT OF**

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**CIVIL REMEDIES AND PROCEDURE**

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CIVIL REMEDIES AND PROCEDURES—Continued

- Bonds issued by certain public corporations, validation of prior to issuance, act amended. H. B. 641, p. 707.
- Bonds issued by city or county, validation of prior to issuance, appeals to supreme court, code section amended. H. B. 642, p. 707.
- Bonds issued by city or county board of education, validation of prior to issuance, act amended. H. B. 641, p. 707.
- Certificates of judgments of courts of record, issuance and recording of, regulated. H. B. 581, pp. 619, 652, 1528.
- Challenge of jurors for cause, code section amended. H. B. 51, pp. 25, 56, 127, 1386, 1433, 1534.
- Charges moved for by the parties, code section amended. H. B. 163, p. 83.
- Cities, liability of, for damages, code section amended. H. B. 332, p. 277.
- Civil cases at law, pleading in short in. H. B. 61, pp. 26, 115, 310, 414.
- Civil cases, pre-trial procedure for simplifying and formulating issues in. H. B. 386, pp. 368, 394.
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- Claims made under contracts of insurance, insurer to give notice of grounds for contesting. H. B. 60, p. 26.
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- Costs of appeals in certain cases, certain women exempt from the requirement to give security for, code section amended. H. B. 185, pp. 119, 213, 332.
- Cross-bills, equity rule relating to amended. H. B. 846, p. 1077.
- Defendants serving sentences in the penitentiary, time of trial or dismissal of charges pending against, provided for. H. B. 393, pp. 398, 556.
- Depositions of witnesses or parties upon oral examination for discovery of or use as evidence, taking of, provided for. H. B. 1006, pp. 1431, 1546, 1844, 2122, 2125, 2151.
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- Homestead exempt from administration and payment of debts, code sections. H. B. 427, pp. 434, 558, 1290.
- Homestead exempt from levy and sale under execution or other process for the collection of debts, code section amended. H. B. 498, p. 515.
- Homestead exemptions, claim and contest of, code sections amended. H. B. 499, p. 515.
- Infants, suits by and against, code section amended. H. B. 752, p. 865; H. B. 396, p. 399.
- Injunction against persons unlawfully engaged in the practice of certain professions, provided for. H. B. 431, pp. 436, 1000.
- Inquisitions of lunacy, trial with or without a jury, provided for. H. B. 471, p. 490.
- Insurer may be joined as a defendant in certain actions against the insured. H. B. 66, pp. 29, 115, 311, 456, 532, 750.
- Joint action against both principal and agent in civil actions, act amended. H. B. 266, p. 228.
- Jurors, alternate, for trials by jury, selection and impaneling of, provided for. H. B. 253, pp. 224, 353, 542.
- Jury trial provided in disbarment proceedings or other disciplinary action against attorney. H. B. 359, p. 362.
- Jury trial provided in proceeding to establish disputed boundaries between coterminous owners of land. H. B. 4, pp. 7, 212, 322.
- Liability for loss or damage arising from death or injury of guest being transported on motor vehicle, code section amended. H. B. 343, pp. 300, 556.
- Liability for loss or damage arising from death or injury of guest being transported on motor vehicle, code section repealed. H. B. 58, pp. 26, 115, 291.
- Liability of counties for injury or damages resulting from torts of officers and agents of, and from defects in county roads and bridges. H. B. 236, p. 180.
- Lien in favor of hospitals upon cause of action accruing to injured person to whom care and treatment is given. S. B. 132, pp. 475, 756, 1968, 2023.
- Minors over fourteen years of age, mode of serving process on, code section amended. H. B. 849, p. 1077.
- Minors under fourteen years of age, mode of serving process on, code section amended. H. B. 847, p. 1077.
- Municipal fire departments granted immunity from tort liability in certain cases. H. B. 317, pp. 274, 396, 1517, 2133, 2135, 2151.
- Non-resident infant defendants, service upon, equity rule relating to amended. H. B. 848, p. 1077.
- Perpetuating testimony, penalty for failure to comply with order allowing examination of witness for the purpose of. H. B. 998, pp. 1422, 1546.

## CIVIL REMEDIES AND PROCEDURES—Continued

- Perpetuating testimony, proceedings for, code section amended. H. B. 997, pp. 1422, 1543.
- Persons of unsound mind, suits by and against, code section amended. H. B. 752, p. 865.
- Practice in equity cases in the matter of objection to, and consideration of, testimony and evidence, act repealed. H. B. 139, p. 68.
- Probation and suspension of execution of sentence, code section amended. H. B. 454, pp. 443, 477, 680, 1979, 2003, 2148.
- Punishment in criminal cases tried by jury. H. B. 138, p. 68.
- Recovery of benefits when more than one party is named as the assured in a contract of insurance. H. B. 57, pp. 26, 115, 289.
- Resident infant defendants, service upon, equity rule relating to amended. H. B. 850, p. 1077.
- Sentence at hard labor for failure to pay judgment for court costs, code section repealed. H. B. 403, p. 402.
- Service of certain notices, subpoenas, citations and other writings by certified mail, authorized. H. B. 884, pp. 1139, 1183, 1527.
- Service of process on nonresident owner or operator of motor vehicle, code section amended. H. B. 666, pp. 765, 999, 1531.
- Suits or actions in state courts, certain persons in service of federal government deemed to be residents of Alabama for purpose of maintaining. H. B. 125, pp. 64, 352, 640, 2112, 2121, 2150.
- Time of trial or dismissal of charges pending against defendant, provided for. H. B. 393, pp. 398, 556.
- Tort liability, immunity from, granted to municipal fire departments in certain cases. H. B. 317, pp. 274, 396, 1517, 2133, 2135, 2151.
- Usurious interest paid, recovery of, code section amended. H. B. 5, p. 7; H. B. 807, p. 952.
- Venue of actions fixed, code section amended. H. B. 921, p. 1207.
- Wages exempt from garnishment, code section amended. H. B. 564, pp. 615, 756, 1832.
- Witnesses, competency of parties as, in civil suits, code section amended. H. B. 283, p. 236.

## CIVIL SERVICE SYSTEMS

- Counties 400,000 or more population, act establishing amended. H. B. 964, pp. 1341, 1396, 1608, 1874, 1991, 2147.
- Mobile County, act creating amended. H. B. 606, pp. 660, 690, 772, 893, 926, 990.
- Mobile County, supervisory committee of the county personnel board, created. H. B. 231, pp. 176, 217, 282, 892, 923, 990, 1294.
- Pay plan for state employees, minimum wage prescribed, code section amended. H. B. 235, p. 180.
- Tests to establish registers for employment in the state service, code section amended. H. B. 465, p. 486.

## CLARKE COUNTY

Hunting of raccoons and opossums at night, authorized. H. B. 354, pp. 357, 397, 446, 638, 645, 648.

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Superintendent of education, election, compensation, act amended. H. B. 896, pp. 1147, 1181, 1445, 1871, 1988, 2146.

Witness fees, criminal cases in the inferior court, manner of registering and paying claims for. H. B. 895, pp. 1145, 1181, 1443, 1871, 1988, 2146.

## CLEBURNE COUNTY

Superintendent of education, compensation. H. B. 510, pp. 565, 614, 670, 893, 923, 990.

## CLIO TELEPHONE COMPANY

Joint resolution creating committee to investigate. H. J. R. 43, pp. 740, 829, 857, 891.

Joint resolution directing committee to continue investigation of. H. J. R. 78, pp. 1881, 1908, 1997, 2147.

## COAL MINES

County convicts prohibited from working in, code section amended. S. B. 98, pp. 425, 556, 1528, 1543.

Privilege license tax on operation of, code section repealed. S. B. 22, pp. 932, 1112, 1493, 1904, 2006, 2009.

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Distribution of, act amended. H. B. 879, pp. 1138, 1700, 1816.

Governor authorized to enter into contract with publishing company to replace volumes of. S. B. 77, pp. 241, 353, 422, 429; H. B. 223, pp. 170, 214, 423.

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Title 2, Section 129. Permit fee required of farming or trucking co-operatives or associations. H. B. 321, pp. 275, 396.

Title 2, Section 313. Adulteration of soda water and other soft drinks or beverages. S. B. 113, pp. 383, 479, 1090, 1106; H. B. 430, p. 436.

Title 2, Section 327. Fees collected by the department of agriculture and industries for the grading and inspection of grain. H. B. 459, pp. 483, 560.

Title 2, Section 415. Fees collected by the department of agriculture and industries for the grading and inspection of agricultural products. H. B. 460, pp. 483, 560.

Title 2, Section 658. Declaration of policy with respect to soil conservation. H. B. 773, p. 940; S. B. 290, pp. 1380, 1774, 2109.

Title 2, Section 663. Powers of soil conservation districts. H. B. 773, p. 940; S. B. 290, pp. 1380, 1774, 2109.

Title 5, Section 82. Limiting amount of loans made by a bank to any one person, firm, or corporation. S. B. 63, pp. 187, 216, 425, 429.



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- Title 5, Section 128. Bank deposits of deceased persons and to whom and how paid. H. B. 673, pp. 766, 831.
- Title 5, Section 133. Charging of exchange by banks. H. B. 590, p. 622.
- Title 7, Section 54. Fixing the venue of actions. H. B. 921, p. 1207.
- Title 7, Section 102. Suits by and against infants. H. B. 396, p. 399; H. B. 752, p. 865.
- Title 7, Section 103. Suits by and against persons of unsound mind. H. B. 752, p. 865.
- Title 7, Section 173. Appeals to the supreme court in actions to validate bonds issued by a city or county prior to issuance. H. B. 642, p. 707.
- Title 7, Section 194. Mode of serving process on minors over fourteen years of age. H. B. 849, p. 1077.
- Title 7, Section 195. Mode of serving process on minors under fourteen years of age and their parents or guardians. H. B. 847, p. 1077.
- Title 7, Section 199. Service of process on nonresident owner of motor vehicle. H. B. 666, pp. 765, 999, 1531.
- Title 7, Section 231. Actions for wrongful act, omission, or negligence causing death. H. B. 67, pp. 29, 116, 385, 532.
- Title 7, Section 273. Charges moved for by the parties. H. B. 163, p. 83.
- Title 7, Section 433. Competency of parties as witnesses in civil suits or proceedings. H. B. 283, p. 236.
- Title 7, Sections 492 and 499. Proceedings to perpetuate testimony. H. B. 997, pp. 1422, 1543.
- Title 7, Section 625. Exemption of homesteads from levy and sale under execution of other process for the collection of debts. H. B. 498, p. 515.
- Title 7, Section 630. Exemption of wages from garnishment or other process for the collection of debts. H. B. 564, pp. 615, 756, 1832.
- Title 7, Sections 652, 653, 654, and 656. Claim and contest of homestead exemptions. H. B. 499, p. 515.
- Title 7, Sections 661 and 669. Homesteads exempt from the administration and payment of debts. H. B. 427, pp. 434, 558, 1290.
- Title 7, Section 713. Designation of newspaper and regulations regarding the printing and publication of legal advertisements. H. B. 294, pp. 269, 756, 1027, 2123, 2131, 2151.
- Title 7, Section 799. Certain women exempt from the requirement to give security for costs of appeals in certain cases. H. B. 185, pp. 119, 213, 332.
- Title 7, Section 996. Process of garnishment. H. B. 686, p. 768.
- Title 8, Section 39. Non-resident state fishing licenses. H. B. 348, pp. 300, 354, 1529.

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- Title 8, Section 40. Non-resident trip fishing licenses. H. B. 347, pp. 300, 354, 1531, 1849.
- Title 8, Section 91. Licenses to capture and kill fur-bearing animals. H. B. 417, pp. 410, 556.
- Title 8, Section 261. Charges by the department of conservation for administering state owned lands. H. B. 784, pp. 944, 1002.
- Title 9, Section 65. Providing for recovery of usurious interest paid. H. B. 5, p. 7; H. B. 807, p. 952.
- Title 10, Sections 94 through 100. Authorizing and regulating the consolidation and merger of two or more corporations. H. B. 234, pp. 180, 213, 333, 475, 506, 549.
- Title 10, Section 126. Powers of corporations not of a business character. S. B. 180, pp. 1389, 1545, 1900, 2007.
- Title 11, Section 34. Fees and allowance of sheriffs. H. B. 676, pp. 766, 825, 891, 1486, 2129, 2135, 2136, 2143, 2151.
- Title 11, Section 38. Fees of justices of the peace. H. B. 637, p. 706.
- Title 11, Section 98. Oaths and fee of jurors. H. B. 758, p. 869.
- Title 11, Section 100. Fees and allowances of sheriffs. H. B. 676, pp. 766, 825, 891, 1486, 2129, 2135, 2136, 2143, 2151.
- Title 12, Section 230. Removal of county seat prohibited in certain cases. H. B. 36, pp. 18, 212, 325.
- Title 13, Section 6. Disqualification of judges to try certain cases. H. B. 474, pp. 492, 556.
- Title 13, Section 31. Election of judges to become supernumerary justices of the supreme court. S. B. 104, pp. 932, 998, 1483, 1484, 1532.
- Title 13, Section 47. Appointment and compensation of confidential secretaries of the supreme court. S. B. 103, pp. 644, 652, 918, 933, 955.
- Title 13, Section 107. Appointment, duties and compensation of certain employees of the court of appeals. S. B. 102, pp. 645, 830, 920, 933, 955.
- Title 13, Section 178. Reimbursement of expenses incurred by judges of circuits composed of more than one county while attending court outside home county. H. B. 793, pp. 946, 1000, 1852.
- Title 13, Section 179. Expenses of the circuit judge when holding court outside his circuit. H. B. 453, p. 443; H. B. 553, pp. 587, 652, 733.
- Title 13, Section 184. Granting of writs of certiorari by judges of circuit courts. H. B. 734, pp. 843, 934, 1031; H. B. 607, p. 662.
- Title 13, Section 187. Appointment and compensation of bailiffs. H. B. 183, pp. 119, 395, 1251.
- Title 13, Section 265. Appointment and compensation of special court reporters. H. B. 649, pp. 711, 754, 1851.
- Title 13, Section 380. Appointment and compensation of clerks of juvenile courts. H. B. 806, pp. 951, 1000, 1805, 2033, 2057, 2149.

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- Title 14, Section 6. Maximum sentence for kidnapping. H. B. 371, pp. 365, 394, 854.
- Title 14, Section 38. Penalty for assaults or attempted felonies. H. B. 679, p. 767.
- Title 14, Section 151. Penalty for escape of a convict from the county jail. H. B. 669, pp. 765, 999.
- Title 14, Section 153. Penalty for escapes or attempts to escape from the penitentiary or a guard and failure to return at expiration of temporary parole. H. B. 668, p. 765.
- Title 14, Section 186. Prescribing penalties for violation of certain laws relating to pistols. H. B. 77, p. 31; H. B. 153, p. 78.
- Title 14, Section 217. Penalty for fraudulently obtaining goods or money on credit. H. B. 9, pp. 11, 353, 643, 2141, 2143, 2151.
- Title 14, Section 275. Penalty for carrying on a lottery. H. B. 620, p. 690.
- Title 14, Sections 286, 287, and 290. Seizure, condemnation, and destruction of gambling devices. H. B. 78, pp. 32, 56, 196.
- Title 14, Section 390. Fixing the compensation of the state toxicologist. H. B. 871, pp. 1124, 1183, 1522, 2122, 2125, 2151.
- Title 14, Section 437. Describing persons who are vagrants. H. B. 622, p. 691.
- Title 15, Section 72. Expense of bringing back absconding felon on requisition. H. B. 651, p. 711.
- Title 15, Section 144. Taking of bail by the sheriff when a person is committed to jail for a bailable offense. H. B. 538, p. 571.
- Title 15, Section 201. Qualifications of bail. H. B. 794, pp. 946, 1000, 1295.
- Title 15, Section 342. Imposition of sentence at hard labor for failure to pay judgment for court costs. H. B. 403, p. 402.
- Title 15, Section 343. Execution of convict by electrocution. H. B. 173, pp. 116, 266, 465.
- Title 15, Section 348. Execution of convicts take place inside the walls of Kilby prison. H. B. 173, pp. 116, 266, 465.
- Title 15, Section 369. Appeals in habeas corpus cases. H. B. 167, pp. 85, 116, 311, 429, 455, 473.
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- Title 17, Section 26. Meetings of board of registrars. H. B. 625, pp. 691, 1115.
- Title 17, Section 77. Creation of election precincts or districts. H. B. 722, pp. 839, 1003.
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- Title 17, Section 81. Changing the boundaries of election precincts or districts. H. B. 722, pp. 839, 1003.
- Title 17, Section 84. Designation of voting places in election districts. H. B. 722, pp. 839, 1003.
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- Title 17, Section 145. Printing names of candidates on ballots. H. B. 693, p. 789.
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- Title 17, Section 304. Penalty for bribing or attempting to influence voter. H. B. 203, pp. 161, 266, 460; H. B. 22, p. 15.
- Title 17, Section 305. Penalty for fraudulently altering or changing the vote of an elector. H. B. 202, pp. 161, 266, 458; H. B. 22, p. 15.
- Title 17, Section 315. Penalty for excluding or receiving votes unlawfully. H. B. 22, p. 15; H. B. 198, p. 160.
- Title 17, Section 316. Penalty for inspector of election to permit disqualified person to vote. H. B. 22, p. 15; H. B. 201, pp. 161, 266, 458.
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Title 17, Section 348. Regulating the filing of declaration of candidacy by candidates in primary elections. H. B. 692, p. 789.

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Title 18, Section 51. Regulating the disposition of property by an electric co-operative. H. B. 644, p. 708.

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Title 22, Section 199. Care and treatment of tubercular patients. S. B. 83, H. B. 213, p. 168.

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- Title 55, Section 304. Pay plan for employees in the state service. H. B. 235, p. 180.
- Title 55, Section 305. Tests to establish registers for employment in the state service. H. B. 465, p. 486.
- Title 60, Section 7. Widows of Confederate veterans who are entitled to pensions. S. B. 266, pp. 1389, 1552, 1810, 1847.
- Title 61, Section 46. Probate and record of wills previously admitted to probate and record in courts outside this state. H. B. 144, pp. 76, 477.
- Title 61, Section 69. Persons disqualified to serve as executor or administrator. H. B. 175, pp. 116, 999.
- Title 61, Section 81. Order of granting letters of administration. S. B. 339, p. 1375.
- Title 61, Section 90. Authority of special administrators appointed by the judge of probate. H. B. 218, p. 169; H. B. 667, pp. 765, 999.
- Title 61, Section 119. Time when suits may be commenced against an executor or administrator. H. B. 248, pp. 221, 352, 541.
- Title 61, Section 211. Time for presentation of certain claims against estate of decedent. H. B. 247, pp. 221, 352, 540.
- Title 61, Section 419. The effect of a report of insolvency on suits pending an executor or administrator. H. B. 249, pp. 221, 352, 541.

## CODE OF ALABAMA 1940 AMENDED—Continued

Title 62, Section 2. Jurisdiction of juvenile court vested in county inferior court in certain counties. H. B. 50, pp. 24, 60, 90, 242, 260, 294.

## CODE OF ALABAMA 1940 REPEALED

Title 17, Section 79. Limiting number of voters in an election district. H. B. 722, pp. 839, 1003.

Title 17, Section 108. Casting write-in votes when voting machines are used. H. B. 719, pp. 839, 1003.

Title 17, Section 162. Casting write-in votes when paper ballots are used. H. B. 719, pp. 839, 1003.

Title 22, Section 98. Inspection of dairy farms, milk cooling stations, milk processing plants and creameries by the state board of health. H. B. 264, p. 228.

Title 36, Section 95. Liability for loss or damage arising from death or injury of guest being transported on motor vehicle. H. B. 58, pp. 26, 115, 291.

Title 37, Sections 331, 332 and 333. Transfer or disposition of surplus funds derived from the operation of a gas, water or sewer system by a county or municipality. S. B. 242, pp. 1388, 1548, 1965, 2025; H. B. 315, pp. 274, 395.

Title 41, Section 44. Official bond a lien on property of certain county officers. S. B. 106, pp. 425, 1004, 1899, 2007.

Title 46, Sections 120 through 150 inclusive. Regulating professional engineers and land surveyors. H. B. 855, pp. 1079, 1111.

Title 51, Section 555. Privilege license tax on the operation of coal mines. S. B. 22, pp. 932, 1112, 1493, 1904, 2006, 2009.

Title 52, Section 56. Requiring the state superintendent of education to prepare rules and regulations for the enforcement of school attendance. H. B. 296, pp. 270, 559, 780, 816, 931, 952, 991, 1309, 1313; S. B. 52, pp. 607, 612, 781, 785, 786, 837, 2127.

Title 52, Section 93. Requiring free separate schools for white and colored children. H. B. 296, pp. 270, 559, 780, 816, 931, 952, 991, 1309, 1313; S. B. 52, pp. 607, 612, 781, 785, 786, 837, 2127.

Title 52, Section 93. Requiring free separate schools for white and colored children. H. B. 296, pp. 270, 559, 780, 816, 931, 952, 991, 1309, 1313; S. B. 52, pp. 607, 612, 781, 785, 786, 837, 2127.

Title 52, Section 163. Authorizing the attendance of city schools by children residing without the city. H. B. 296, pp. 270, 559, 780, 816, 931, 952, 991, 1309, 1313; S. B. 52, pp. 607, 612, 781, 785, 786, 837, 2127.

Title 52, Section 167. City board of education required to maintain separate schools for white and colored children. H. B. 296, pp. 270, 559, 780, 816, 931, 952, 991, 1309, 1313; S. B. 52, pp. 607, 612, 781, 785, 786, 837, 2127.

Title 52, Sections 318 and 319. Promulgation of rules and regulations by the state board of education governing the attendance of children at school. H. B. 296, pp. 270, 559, 780, 816, 931, 952, 991, 1309, 1313; S. B. 52, pp. 607, 612, 781, 785, 786, 837, 2127.

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Title 52, Sections 351 through 361. Tenure of employment of teachers. H. B. 709, p. 793.

Title 55, Sections 19, 20, 22, 24, 25, 26, 27, and 28. Creating the state department of commerce. H. B. 30, pp. 16, 59, 254, 261, 857, 881, 994, 1058, 1103.

## COFFEE COUNTY

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Judge, circuit, compensation, act amended. H. B. 931, pp. 1221, 1320, 1445, 1870, 1987, 2146; H. B. 1028, p. 1581.

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Tax collector, office equipment, supplies and clerical assistance. H. B. 809, pp. 1010, 1063, 1438, 1870, 1987, 2146.

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Commissioner of public schools, office abolished. H. B. 511, pp. 565, 614, 671, 907, 923, 990, 1111; H. B. 904, pp. 1156, 1183, 1455.

Coroner, clerical assistance. H. B. 770, pp. 939, 1004, 1094, 1368, 1384, 1534.

Solicitor of the law and equity court, office space, telephone service. H. B. 905, pp. 1158, 1182, 1449, 1872, 1989, 2146.

Superintendent of education, office created. H. B. 511, pp. 565, 614, 671, 907, 923, 990, 1111; H. B. 904, pp. 1156, 1183, 1455.

Transfer from thirty-first to eleventh judicial circuit. H. B. 104, p. 61.

Tuscumbia, city of, dedication of certain property vacated and annulled. H. B. 687, pp. 787, 834, 874, 1048, 1060, 1103.

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Talladega County, relief of. S. B. 250, pp. 911, 936, 1026, 1088.

## COLISEUM, LIVESTOCK

Appropriation, agricultural center board, for operation of. H. B. 177, pp. 117, 216, 424, 528, 536, 549.

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Bureau of loans, act creating amended. H. B. 605, pp. 660, 955, 998, 1080, 1087, 1391, 1543.

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Cullman County, act creating amended. H. B. 18, pp. 13, 59, 87, 187, 194, 200.

Winston County, created. H. B. 1027, pp. 1579, 1702.

## COMMISSION ON EDUCATION WITH RESPECT TO ALCOHOLISM

Authorized to establish outpatient clinics. H. B. 345, p. 300.

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## COMMISSIONER OF LICENSES

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Counties 230,000 to 500,000 population, salary. H. B. 73, pp. 31, 60, 92, 206, 209, 258.

## COMMISSIONER OF PUBLIC SCHOOLS

Colbert County, office abolished. H. B. 511, pp. 565, 614, 671, 907, 923, 990, 1111; H. B. 904, pp. 1156, 1183, 1455.

## COMMITTEE APPOINTMENT

Pursuant to H. J. R. 8 (Second Special Session) appointment of Honorable Jack Huddleston to take the place of Honorable Howard Bagley, deceased. pp. 72, 75, 98, 111, 1795.

## COMMITTEE ON COURSES OF STUDY

Appointment and duties, code sections amended. H. B. 15, pp. 12, 268, 537; S. B. 42, p. 932.

## COMMON CARRIERS

"Alabama motor carrier act of 1939", amended. H. B. 106, p. 62; H. B. 688, pp. 788, 1063, 1847, 2123, 2125, 2151.

Handling gasoline and lubricating oils, reports and records of, code section amended. H. B. 515, p. 568.

Intrastate shippers or receivers of freight, price fixing or restraint of trade among, prohibited. H. B. 621, p. 690.

Mileage tax, motor carriers, act amended. H. B. 108, p. 62; H. B. 531, p. 570; H. B. 689, pp. 788, 1001.

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Motor vehicles used for commercial purposes and owned by certain non-residents, registration of prohibited. H. B. 355, pp. 358, 394, 1302, 1313, 2033, 2056, 2149.



## COMMON CARRIERS—Continued

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## CONSERVATION

Alabama public lake association, incorporated, creation of, provided for. H. B. 862, pp. 1083, 1116.

Deer and turkey, big game permits for hunting of. H. B. 753, pp. 865, 1116.

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Fishing licenses, code section amended. H. B. 98, pp. 38, 75, 197, 354, 773, 1261, 1284, 1315, 1453, 1496, 1535.

## CONSERVATION—Continued

- Fishing with electrical devices, committee created to correlate results of biological study relative to, joint resolution. S. J. R. 57, pp. 1057, 1089.
- Forest fires, county governing body authorized to provide protection against. H. B. 194, pp. 160, 395, 682, 1726, 2123, 2131, 2151.
- Forest fires, interstate compacts for prevention and control of, authorized. H. B. 179, pp. 117, 354, 1510, 2103, 2116, 2150.
- Fort Morgan historical commission, created. H. B. 301, pp. 271, 295, 389, 412, 1978, 2003, 2148.
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- Hunting and fishing licenses, lifetime, for persons sixty-five years of age or over. H. B. 135, pp. 68, 115, 384, 640, 749.
- Lighted matches, cigarettes and other burning materials, unlawful to throw on highways, railroad rights of ways, forest lands, grass lands, etc. H. B. 195, pp. 160, 213, 332.
- Non-resident state fishing licenses, code section amended. H. B. 348, pp. 300, 354, 1529.
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- Soil conservation, ~~declaration of policy with respect to~~, code section amended. S. B. 290, pp. 1380, 1774, 2109; H. B. 773, p. 940.
- Soil conservation districts, powers of, code section amended. H. B. 773, p. 940; S. B. 290, pp. 1380, 1774, 2109.
- Tree infestation and disease, program for prevention of. H. B. 178, pp. 117, 158, 313, 640, 1729.
- Water improvement advisory commission, act establishing amended. H. B. 840, pp. 1072, 1117.
- Water improvement commission, act establishing amended. H. B. 840, pp. 1072, 1117.
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- Chief attorney designated as chief legal counsel of. H. B. 299, pp. 270, 354.
- Director authorized to appoint volunteer forest fire wardens. H. B. 164, pp. 83, 158, 313, 2123, 2131, 2151.
- Division of forestry, emergency fire fighting fund created for use of. H. B. 700, p. 790.
- Fur-bearing animals, licenses to capture and kill, code section amended. H. B. 417, pp. 410, 556.
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- McDuffie Island, disposition of revenue derived from rental or sale of lands comprising. H. B. 751, p. 865.

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## CONSTITUTION, STATE

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Butler County, ad valorem tax for school purposes. H. B. 745, pp. 864, 934, 1020, 1365, 1383, 1535.

Chilton County, ad valorem tax for school purposes. H. B. 991, pp. 1404, 1550, 1709, 1957, 1976.

## CONSTITUTIONAL AMENDMENTS—Continued

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- Civil cases, verdict by three-fourths vote in jury trials. H. B. 690, pp. 789, 1000.
- Clarke County, register of circuit court, compensation. S. B. 157, pp. 157, 654, 718, 780.
- Coffee County, industrial development of municipalities. H. B. 648, pp. 711, 760, 799, 1048, 1059, 1103.
- Conecuh County, industrial development of municipalities. H. B. 423, pp. 433, 481, 526, 729, 737, 750.
- Cullman County, circuit clerk, fees and salary. H. B. 799, pp. 948, 1005, 1099, 1512, 1537, 1697; S. B. 300, pp. 1365, 1620, 1763.
- Cullman County, costs and charges of courts and offices and compensation of circuit clerk and register of circuit court. H. B. 660, p. 764.
- Cullman County, industrial development of municipalities. H. B. 19, pp. 14, 59, 88, 897, 922, 991.
- Dog racing, wagering on, authorized. H. B. 739, p. 844.
- Elmore County, ad valorem tax for school purposes. H. B. 409, pp. 403, 481; H. B. 204, pp. 161, 216, 277.
- Elmore County, judge of probate, sheriff, tax assessor, tax collector, circuit clerk and register, compensation. H. B. 24, pp. 16, 158, 244, 262, 308, 894, 923, 991.
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- Fayette County, municipalities in, powers of. H. B. 771, pp. 940, 1005, 1095, 1368, 1384, 1535.
- General assembly composed of one chamber, created. H. B. 476, pp. 493, 1115.
- Governor, retirement on part pay. H. B. 407, p. 403.
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- Jackson County, sheriff, compensation. H. B. 842, p. 1073.
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- Lamar County, industrial development of municipalities. H. B. 117, pp. 63, 76, 121, 327, 344, 346.
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Limestone County, additional ad valorem tax. H. B. 785, pp. 944, 1005, 1096, 1368, 1385, 1535.

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Escapes or attempts to escape from the penitentiary or a guard, penalty for, code section amended. H. B. 668, p. 765.

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Parole, temporary, penalty for failure to return at expiration of, code section amended. H. B. 668, p. 765.

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Tubercular, care and treatment of, code section amended. H. B. 650, p. 711.

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Electric, regulation of, by the Alabama public service commission. H. B. 156, p. 79.

Farming or trucking associations, permit fee required of, code section amended. H. B. 321, pp. 275, 396.

## COOSA COUNTY

Fishing in public waters of, regulated. H. B. 810, pp. 1010, 1063, 1173, 1446; H. B. 654, p. 713.

## CORDOVA, CITY OF

Boundaries altered. H. B. 1025, pp. 1577, 1708, 1793, 2019, 2046, 2149.

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Colbert County, clerk authorized. H. B. 770, pp. 939, 1004, 1094, 1368, 1384, 1534.

Counties 63,700 to 70,000 population, office space, equipment and supplies. H. B. 680, pp. 767, 787, 849, 1054, 1086, 1104.

Counties 80,000 to 94,000 population, assistant coroner authorized. H. B. 813, pp. 1013, 1064, 1168, 1513, 1538, 1696.

Counties 225,000 to 400,000 population, office of coroner's pathologist created. S. B. 292, pp. 1061, 1120, 1442, 1454.

Limestone County, compensation. H. B. 543, pp. 573, 613, 667, 893, 924, 990.

Talladega County, clerk authorized. S. B. 323, pp. 1376, 1394, 1593, 1743.

## CORPORATIONS

Alabama public lake association, incorporated, provided for. H. B. 862, pp. 1083, 1116.



## CORPORATIONS—Continued

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Corporations not of a business character, powers of, code section amended. S. B. 180, pp. 1389, 1545, 1900, 2007.

Counties 400,000 or more population, incorporation of tunnel authorities for construction of vehicular tunnels, authorized. H. B. 155, pp. 78, 296, 371, 861, 930, 993, 1305, 1311, 1381.

Counties 500,000 or more population, authorized to create public corporation for the purpose of constructing, operating tubercular hospitals or clinics. H. B. 426, pp. 433, 479, 519, 729, 737, 750.

County public building authority authorized to acquire, construct buildings for municipalities. H. B. 556, pp. 587, 830, 1835.

Domestic, consolidation or merger of two or more, code sections regulating amended. H. B. 234, pp. 180, 213, 333, 475, 506, 549.

Domestic, permit to do business, code section amended. H. B. 521, pp. 569, 1114.

Electric membership, regulation of, by the Alabama public service commission. H. B. 156, p. 79.

Financial institutions, distribution of proceeds of tax on, code section amended. S. B. 218, pp. 1736, 1773, 1967, 2127, 2136.

Foreign and domestic, consolidation or merger of two or more, code sections regulating amended. H. B. 234, pp. 180, 213, 333, 475, 506, 549.

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Gas districts, incorporation of, as public corporations, act amended. H. B. 134, p. 68.

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Income tax, rate of, code section amended. H. B. 481, p. 510; H. B. 483, pp. 510, 757, 878, 880, 886, 970.

Infants authorized to hold stock in, receive dividends, etc. H. B. 661, pp. 765, 999.

Influencing vote of employees at an election, penalty for, code section amended. H. B. 200, pp. 160, 266, 458.

## CORPORATIONS—Continued

- Marion County, public corporation to acquire and operate hydro-electric and irrigation projects and sell water and water rights, creation of authorized. H. B. 631, pp. 697, 759, 796, 895, 926, 990.
- Municipal, classifying as "cities" or "towns", code section amended. H. B. 552, pp. 587, 654, 732, 896, 925, 990.
- Municipal, incorporation of, validated in certain cases. H. B. 638, pp. 706, 891, 1515, 2129, 2134, 2151; H. B. 551, pp. 587, 654, 732, 896, 925, 990.
- Municipal housing authorities, creation, code sections amended. H. B. 436, pp. 437, 562.
- Municipal, statements, claims, or demands for injury filed against, code section amended. H. B. 322, pp. 275, 396.
- Municipal waterworks corporation, election of board of directors, code section amended. H. B. 311, pp. 273, 560.
- Non-profit, organization, dissolution, etc. H. B. 555, pp. 587, 934, 1290, 2112, 2121, 2150.
- Public building corporations, in each county authorized to construct, operate irrigation projects, hydro-electric power producing projects, sell water and water rights. H. B. 63, p. 26.
- Public, created for the purpose of constructing state office building or buildings. H. B. 33, pp. 17, 57, 138, 898, 954, 981, 989, 996, 1033, 1059, 1103.
- Public, for hospital purposes in any county, incorporation of, act amended. H. B. 485, pp. 510, 557, 682, 896, 927, 990.
- Public, for the development of agriculture, creation of, authorized. H. B. 254, p. 229.
- Public, for purpose of acquiring, constructing and maintaining buildings for use by municipality, incorporation of, authorized. S. B. 243, pp. 1387, 1549, 1902, 2025; H. B. 329, pp. 276, 560.
- Public, for purpose of acquiring and operating a medical clinic in any municipality, incorporation of, authorized. H. B. 584, pp. 620, 758, 1027, 1058, 2033, 2057, 2108, 2112, 2149.
- Public, in each county to construct, operate irrigation projects, hydro-electric power projects, sell water and water rights, creation of, authorized. H. B. 62, pp. 26, 159, 314, 2037, 2116, 2150.
- Public, issuance of bonds validated before issuance, act amended. H. B. 641, p. 707.
- Public, operating municipal water, sewer, gas, or electric system, election of board of directors, act amended. H. B. 312, pp. 273, 560.
- Public, sale of electric co-operative to, authorized. H. B. 644, p. 708.
- Public, to develop, improve, state parks system, creation of, authorized. H. B. 656, p. 717.
- Public, transfer of water, sewer, gas and electric systems to municipality, authorized. H. B. 643, pp. 707, 832, 1517.

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- Practice of, regulated and licensed. H. B. 557, pp. 587, 1321, 1820.

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Clarke County, criminal cases in the inferior court, manner of registering and paying claims for witness fees. H. B. 895, pp. 1145, 1181, 1443, 1871, 1988, 2146.

Fingerprinting persons coming into custody of sheriff, act amended. H. B. 370, p. 364.

Jurors, code section amended. H. B. 758, p. 869.

Perry County, criminal cases in the county court, manner of registering and paying claims for witness fees. H. B. 379, pp. 366, 397, 448, 608, 611, 648.

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Sheriffs, code sections amended. H. B. 676, pp. 766, 825, 891, 1486, 2129, 2135, 2136, 2143, 2151.

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## COUNCIL OF STATE GOVERNMENTS

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## COUNTIES, GENERAL LAWS

Airports, issuance of warrants or certificates of indebtedness for purpose of acquiring. H. B. 550, pp. 586, 653, 731, 2020, 2057, 2149.

Blind persons, operation of stands by, in public buildings and on public properties, authorized. H. B. 303, pp. 271, 482, 675, 2110, 2120, 2150.

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Bonds, action to validate prior to issuance, appeals to supreme court, code section amended. H. B. 642, p. 707.

Bonds of certain public corporations validated prior to issuance, act amended. H. B. 641, p. 707.

Branch banks prohibited except in counties 200,000 or more population. H. B. 95, pp. 37, 213, 328, 467, 493, 504.

Casualty insurance contracts issued by mutual insurance companies, purchase of authorized. H. B. 489, p. 511.

Cemeteries, authorized to expend funds for upkeep of. H. B. 381, p. 367.

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## COUNTIES, GENERAL LAWS—Continued

- Clerks, county governing bodies, compensation regulated. H. B. 113, pp. 62, 113, 284, 528, 536, 549.
- Condemnation proceedings, appointment of commissioners, code section amended. H. B. 779, pp. 942, 1320; H. B. 681, pp. 767, 787, 848, 2009, 2022, 2149.
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- Contracts between county officers and the county, penalty for, code section amended. H. B. 685, pp. 768, 1005, 1251.
- Counties where control over roads and bridges is vested in state highway department, county residents must be employed by department where possible. H. B. 38, pp. 18, 116, 312.
- County convicts, delivery to and imprisonment of by department of corrections and institutions, code sections amended. S. B. 98, pp. 425, 556, 1528, 1543.
- County officers, official bonds a lien on property, code section providing for repealed. S. B. 106, pp. 425, 1004, 1899, 2007.
- County public building authority authorized to acquire, construct buildings for municipalities in the county. H. B. 556, pp. 587, 830, 1835.
- County roads and bridges, construction and repair by state highway departments, regulated, constitutional amendment. H. B. 133, pp. 67, 353, 647.
- County seat, removal of prohibited in certain cases. H. B. 36, pp. 18, 212, 325.
- Electric co-operatives, sale of to city, county, or certain public corporations, authorized. H. B. 644, p. 708.
- Electric systems, powers with respect to the acquisition and financing of, code section amended. H. B. 315, pp. 274, 395; S. B. 242, pp. 1388, 1548, 1965, 2025.
- Employees' retirement system, participation in, code section amended. H. B. 435, pp. 436, 558, 680, 681, 1386, 1434, 1534.
- Forest fires, county governing body authorized to provide protection against. H. B. 194, pp. 160, 395, 682, 1726, 2123, 2131, 2151.
- Grand jury in each county required to examine and investigate ballot boxes and voting machines used at each election. H. B. 384, pp. 368, 556.
- Group life, health, accident and hospitalization insurance for officers and employees of, act amended. H. B. 368, pp. 364, 756.
- Housing authorities, act limiting amount of rentals charged by, amended. H. B. 146, pp. 77, 266, 468, 2134, 2140, 2151.
- Housing authorities, property acquired through condemnation or right of eminent domain, power to dispose of limited. H. B. 824, p. 1016.

## COUNTIES, GENERAL LAWS—Continued

Housing authorities, creation, obligations, and proceedings of, validated. H. B. 147, pp. 77, 266, 467, 2134, 2141, 2151.

Incentive awards to counties levying additional taxes for school purposes, appropriation to provide. H. B. 765, p. 938.

Insured retirement plans for officers and employees of, act amended. H. B. 368, pp. 364, 756.

Liability of for injury or damages resulting from the torts of officers, agents and employees and from defects in the county roads and bridges. H. B. 236, p. 180.

Piers or platforms on the sides of certain bridges from which fish may be caught, county governing bodies required to construct. H. B. 21, pp. 15, 1123.

Properties, publicly-owned, insuring of, in mutual insurance companies, authorized. H. B. 489, p. 511.

Public building corporations authorized to construct, operate irrigation projects, hydro-electric power projects, sell water and water rights. H. B. 63, p. 26.

Public corporations for hospital purposes, incorporation of, act amended. H. B. 485, pp. 510, 557, 682, 896, 927, 990.

Public corporations to construct, operate irrigation projects, hydro-electric power projects, sell water and water rights, creation of, authorized. H. B. 62, pp. 26, 159, 314, 2037, 2116, 2150.

Retirement income policies, individual annuity contracts, or group annuity contracts issued to, validated. H. B. 369, pp. 364, 758.

Rights of way of roads and bridges, acquisition of, code section amended. H. B. 56, p. 26.

Sewer systems, certain counties may issue general obligation bonds or certificates of indebtedness for purpose of constructing, enlarging, etc. H. B. 725, pp. 839, 863, 955, 1363, 1384, 1534.

State to reimburse, for expenses incurred in conducting certain elections. S. B. 95, pp. 429, 562, 855, 883, 1106; H. B. 86, pp. 33, 328.

Voting machines, authorized to issue interest bearing warrants or certificates of indebtedness for purpose of acquiring. H. B. 437, p. 437.

Voting machines, use of, authorized without submitting question to vote. H. B. 554, pp. 587, 1322, 1730.

## COUNTIES 19,200 TO 20,000 POPULATION

Superintendent of education, compensation. H. B. 114, pp. 63, 76, 121, 207, 209, 258.

## COUNTIES 22,000 TO 23,000 POPULATION

County commissioners placed on salary. H. B. 490, pp. 511, 562, 625, 729, 738, 750.

Purchasing system, established. H. B. 490, pp. 511, 562, 625, 729, 738, 750.

Roads and bridges, construction, repair and maintenance on a county-wide basis. H. B. 490, pp. 511, 562, 625, 729, 738, 750.

## COUNTIES 22,750 TO 23,500 POPULATION

Board of education authorized to cancel contract with any teacher by unanimous vote. H. B. 989, pp. 1403, 1550, 1708, 2009, 2022, 2149.

Teacher advocating integration of the races in public schools, board of education required to cancel contract with. H. B. 989, pp. 1403, 1550, 1708, 2009, 2022, 2149.

## COUNTIES 24,500 TO 25,725 POPULATION

County governing body, expense allowance. H. B. 398, pp. 402, 430, 497, 639, 646, 648.

## COUNTIES 29,500 TO 30,500 POPULATION

County solicitor, deputy circuit solicitor, or assistant circuit solicitor, additional compensation. H. B. 759, pp. 869, 935, 1021, 1364, 1383, 1534.

Governing body, compensation. H. B. 760, pp. 869, 935, 1022, 1364, 1383, 1534.

## COUNTIES 30,700 TO 31,400 POPULATION AND HAVING TWO COURTHOUSES AND A COURT OF COUNTY COMMISSIONERS

Tax assessor and tax collector, office equipment, supplies and clerical assistance. H. B. 809, pp. 1010, 1063, 1438, 1870, 1987, 2146.

## COUNTIES 47,000 TO 52,000 POPULATION

Reidentification of voters. S. B. 294, p. 1362.

## COUNTIES 50,000 TO 54,000 POPULATION

School buildings and other school property, insuring of, regulated. H. B. 935, pp. 1225, 1325, 1471, 1958, 2000, 2148.

## COUNTIES 56,500 TO 72,500 POPULATION

Reidentification of voters. S. B. 315, pp. 1362, 1393, 1592, 1743.

## COUNTIES 63,500 TO 72,500 POPULATION

Jury commission, compensation. H. B. 798, pp. 948, 1005, 1098, 1368, 1383, 1534.

## COUNTIES 63,700 TO 70,000 POPULATION

Coroner, office space, equipment and supplies. H. B. 680, pp. 767, 787, 849, 1054, 1086, 1104.

Medical, surgical and hospital supplies, purchase of, exempt from system of competitive bidding. H. B. 984, pp. 1399, 1549, 1705, 1955, 1999, 2148.

## COUNTIES 63,750 TO 72,750 POPULATION

Bail, defining powers and authority of courts in proceedings on forfeitures of. H. B. 140, pp. 68, 116, 311, 851, 1054, 1085, 1104.

Board of education authorized to furnish clerical assistance to high school principals. H. B. 333, pp. 277, 295, 370.

Board of equalization to serve as commissioners in condemnation proceedings. H. B. 681, pp. 767, 787, 848, 2009, 2022, 2149.

Circuit clerk authorized to issue warrants in criminal cases. H. B. 702, pp. 790, 834, 874, 1054, 1086, 1104.

COUNTIES 63,750 TO 72,750 POPULATION—Continued

Police jurisdiction outside corporate limits of cities and towns in, upon annexation of adjoining territory, defined. H. B. 986, pp. 1400, 1550, 1706, 1956, 2000, 2148.

Reidentification of voters. H. B. 827, pp. 1016, 1064, 1170.

Superintendent of education, compensation. S. B. 148, pp. 464, 509, 602, 632.

## COUNTIES 65,000 TO 75,000 POPULATION

Branch banks, authorized. H. B. 229, pp. 176, 217, 281, 464, 494, 504.

## COUNTIES 72,000 POPULATION OR MORE

Bail bonds, proceedings on forfeiture of, act repealed. H. B. 297, p. 270.

## COUNTIES 73,000 TO 93,000 POPULATION

Witness certificates, payment of, act amended. H. B. 342, pp. 300, 355, 443, 1869, 1986, 2146.

## COUNTIES 75,000 TO 130,000 POPULATION

Reidentification of voters. S. B. 275, pp. 1363, 1392.

## COUNTIES 80,000 TO 94,000 POPULATION

Circuit court, chief clerk and assistant chief clerk, provided for H. B. 877, pp. 1138, 1182, 1450, 1955, 1999, 2148.

Coroner, assistant, authorized. H. B. 813, pp. 1013, 1064, 1168, 1513, 1538, 1696.

County court, chief clerk provided for. H. B. 877, pp. 1138, 1182, 1450, 1955, 1999, 2148.

Hospital board, created. H. B. 811, pp. 1013, 1063, 1167, 1513, 1538, 1696; S. B. 317, pp. 1362, 1393, 1592, 1743.

Prisoners, feeding of, regulated. S. B. 322, pp. 1365, 1393, 1593, 1743.

Sales and use tax, levy authorized for hospital purposes. H. B. 878, pp. 1138, 1182, 1744, 1769, 1955, 1999, 2148.

Sheriff, uniforms for employees of, authorized. H. B. 362, pp. 363, 397, 448, 638, 645, 648.

Tax assessor, compensation. H. B. 958, pp. 1339, 1394, 1595, 1880, 1996, 2147.

Tax collector, compensation. H. B. 958, pp. 1339, 1394, 1595, 1880, 1996, 2147.

## COUNTIES 94,000 TO 134,000 POPULATION

Alcoholic beverages, sale of, prohibited in certain places. H. B. 710, pp. 793, 833, 914; S. B. 272, pp. 912, 936, 1436, 1454.

Board of education, meetings of, regulated. H. B. 934, pp. 1225, 1325, 1470, 1873, 1990, 2147.

Cemeteries, regulated. H. B. 585, pp. 620, 1119, 1232, 1512, 1537, 1696.

Contraband or forfeited property, disposition of proceeds of sales of. H. B. 796, pp. 947, 1005, 1098, 1368, 1385, 1534.

Polls, time of opening and closing. H. B. 282, pp. 236, 269, 307, 464, 495, 504.

## COUNTIES 64,000 TO 134,000 POPULATION—Continued

Register, costs and fees of, in certain cases, regulated. H. B. 735, pp. 843, 862, 915, 1055, 1086, 1104.

Statements and releases procured from patients in hospitals, use of regulated. H. B. 923, pp. 1208, 1320.

Taxing powers of municipalities outside their corporate limits, regulated. H. B. 863, pp. 1084, 1322, 1591.

## COUNTIES 96,000 TO 140,000 POPULATION

Sheriff, compensation, assistants, act amended. H. B. 493, pp. 514, 563, 665, 678; S. B. 174, pp. 608, 613, 666, 685.

## COUNTIES 125,000 TO 200,000 POPULATION

Employees retirement plan, authorized and required. S. B. 344, pp. 1496, 1551, 1714, 1763.

## COUNTIES 125,000 TO 225,000 POPULATION

Barbers, regulated and licensed. S. B. 319, pp. 1365, 1393, 1620, 1763, 1803; H. B. 864, pp. 1085, 1120, 1240, 1520, 1540, 1697, 1803.

Employees retirement plan, authorized and required. H. B. 917, pp. 1204, 1324, 1466, 1872, 1989, 2146.

Joint public charity hospital board, creation of, authorized. S. B. 314, pp. 1362, 1392, 1591; H. B. 823, pp. 1015, 1064, 1169, 1514, 1539, 1696.

## COUNTIES 140,000 OR MORE POPULATION

Plumbers examining board, act creating amended. H. B. 730, pp. 841, 862, 914, 1980, 2011, 2149.

## COUNTIES 200,000 TO 400,000 POPULATION

Bailiffs for the circuit court, appointment, compensation. H. B. 697, pp. 789, 837, 876, 1048, 1060, 1103.

Designating voting places and assigning voting machines or booths alphabetically. H. B. 869, pp. 1123, 1181, 1446, 1870, 1987, 2146.

## COUNTIES 200,000 TO 500,000 POPULATION

Judge of probate, qualifications for holding office. H. B. 76, pp. 31, 60, 93, 99, 112, 638, 645, 648.

## COUNTIES 225,000 TO 400,000 POPULATION

Branch banks, authorized. H. B. 787, pp. 944, 1006, 1092, 1870, 1987, 2146.

Coroner's pathologist, office created. S. B. 292, pp. 1061, 1120, 1442, 1454.

Domestic relations division of the circuit court, created. S. B. 291, pp. 1496, 1551, 1716, 1888, 2006.

Hospital board, created. H. B. 418, pp. 410, 430, 500, 639, 646, 648, 744, 745; S. B. 152, pp. 502, 509, 600, 632.

## COUNTIES 230,000 TO 500,000 POPULATION

Commissioner of licenses, salary. H. B. 73, pp. 31, 60, 92, 206, 209, 258.



**COUNTIES 400,000 OR MORE POPULATION**

- Beer tax, act levying amended. H. B. 937, pp. 1226, 1327, 1480, 1873, 1990, 2147.
- Building commissioner, appointment of, act amended. H. B. 819, pp. 1014, 1065, 1173, 1513, 1538, 1696.
- Civil service system, act establishing amended. H. B. 964, pp. 1341, 1396, 1608, 1874, 1991, 2147.
- County officers on a salary basis required to pay fees, costs and commissions into county treasury. H. B. 973, pp. 1348, 1396, 1610, 1875, 1992, 2147.
- Deputy circuit solicitors, compensation. H. B. 939, pp. 1226, 1327, 1479, 1874, 1991, 2147.
- Governing body, duties and functions of, act amended. H. B. 819, pp. 1014, 1065, 1173, 1513, 1538, 1696.
- Governing body, salary of president and members. H. B. 940, pp. 1226, 1327, 1478, 1876, 1993, 2147.
- Incorporation of tunnel authorities for construction of vehicular tunnels, authorized. H. B. 155, pp. 78, 296, 371, 861, 930, 993, 1305, 1311, 1381.
- Judge of any court where such judge is elected by the circuit judges of the county, compensation. H. B. 948, pp. 1228, 1326, 1473, 1877, 1994, 2147.
- Juries and alternate jurors in criminal and quasi-criminal cases in circuit courts, impaneling of, act amended. H. B. 257, pp. 229, 269, 307, 464, 494, 504.
- Jurors, alternate, impaneling of in certain civil cases, authorized. H. B. 881, pp. 1138, 1184, 1458, 1882, 1996, 2147.
- Juvenile and domestic relations court, salary of judge. H. B. 941, pp. 1226, 1327, 1478, 1876, 1993, 2147.
- Planning commissions, duties and functions of, act amended. H. B. 819, pp. 1014, 1065, 1173, 1513, 1538, 1696.
- Service of certain notices, subpoenas, citations, and other writings by certified mail, authorized. H. B. 883, pp. 1139, 1183, 1457, 1871, 1988, 2146.
- Sheriff, salary. H. B. 947, pp. 1228, 1326, 1474, 1877, 1994, 2147.
- Voting machines, use of regulated. H. B. 963, pp. 1340, 1396, 1606, 1623, 1879, 2004, 2011, 2012, 2016, 2058, 2149.
- Zone maps, adoption of, by county governing body, regulated. H. B. 882, pp. 1138, 1184, 1458, 1871, 1988, 2146.
- Zoning boards, duties and functions of, act amended. H. B. 819, pp. 1014, 1065, 1173, 1513, 1538, 1696.
- Zoning of territory annexed to cities or towns less than 250,000 population, regulated. H. B. 866, pp. 1085, 1122, 1243, 1520, 1541, 1696.

**COUNTIES 500,000 OR MORE POPULATION**

- Circuit clerk, salary. H. B. 938, pp. 1226, 1327, 1480, 1873, 1990, 2147.
- Parks, fairgrounds, and other such facilities, appropriation of funds to public corporation operating, authorized. H. B. 865, pp. 1085, 1122, 1242, 1520, 1541, 1696.

## COUNTIES 500,000 OR MORE POPULATION—Continued

Pistols, seizure and condemnation of. H. B. 972, p. 1348.

Tax assessor, salary. H. B. 943, pp. 1227, 1326, 1476, 1876, 1993, 2147.

Tax collector, salary. H. B. 943, pp. 1227, 1326, 1476, 1876, 1993, 2147.

Treasurer, salary. H. B. 945, pp. 1227, 1326, 1475, 1877, 1994, 2147.

Tubercular hospitals or clinics, public corporation for the purpose of constructing, operating, creation authorized. H. B. 426, pp. 433, 479, 519, 729, 737, 750.

## COUNTY COMMISSION

DeKalb County, created. H. B. 894, pp. 1142, 1183, 1589, 1882, 1996, 2147.

Monroe County, election. H. B. 912, pp. 1191, 1323, 1463.

## COUNTY COURT

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Russellville, city of, election of mayor regulated. H. B. 1010, pp. 1557, 1701, 1786, 2010, 2023, 2149.

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**FUNGICIDES**

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Alabama public lake association, incorporated, provided for. H. B. 862, pp. 1083, 1116.

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Clarke County, nighttime hunting of raccoons and opossums, authorized. H. B. 354, pp. 357, 397, 446, 638, 645, 648.

Coosa County, fishing regulated. H. B. 810, pp. 1010, 1063, 1173, 1440; H. B. 654, p. 713.

Deer and turkey, big game permits for hunting of. H. B. 753, pp. 865, 1116.

Electrical devices, committee created to correlate results of biological study relative to fishing with, joint resolution. S. J. R. 57, pp. 1057, 1089.

Elmore County, fishing regulated. H. B. 810, pp. 1010, 1063, 1173, 1440; H. B. 654, p. 713; H. B. 93, pp. 35, 60, 94, 207, 209, 258.

Fishing and hunting licenses, lifetime, for persons over sixty-five years of age. H. B. 135, pp. 68, 115, 384, 640, 749.

Fishing licenses issuance of, code section amended. H. B. 98, pp. 38, 75, 197, 354, 773, 1261, 1284, 1315, 1453, 1496, 1535.

Fur-bearing animals, license to capture and kill, code section amended. H. B. 417, pp. 410, 556.

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Menhaden, catching, transporting and processing of, regulated. H. B. 868, pp. 1123, 1322, 1817.

Non-resident state fishing licenses, code section amended. H. B., 348, pp. 300, 354, 1529.

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Randolph County, fishing regulated. H. B. 731, pp. 842, 863, 916, 1054, 1086, 1104.

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Proceeds of, to be used only for construction of highways, law enforcement, etc., constitutional provision repealed. H. B. 852, pp. 1078, 1113.

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Joint resolution commending. S. J. R. 93, pp. 2110, 2132.

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## GOVERNOR

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## GOVERNOR'S MESSAGE

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## GRAYSVILLE, TOWN OF

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## GREENVILLE, CITY OF

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## GRIFFIN, GOVERNOR MARVIN

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## GUEST LAW

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## GUNTERSVILLE, CITY OF

Governing body empowered to authorize mayor to lease or sublease certain property. H. B. 910, pp. 1188, 1323, 1461, 1953, 1998, 2147.

## HABEAS CORPUS

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## HABITUAL CRIMINALS

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## HALE COUNTY

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## HALL, JOHN HENRY

Joint resolution mourning death of. H. J. R. 85, pp. 1983, 2008, 2046, 2149.

## HARBORS

Promotion, development, etc., provided for. S. B. 230, pp. 988, 1774, 2049, 2117, 2132.

## HAWKINS, REP. GEORGE C.

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## HEALTH BOARD, STATE

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## HEALTH DEPARTMENT, STATE

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## HEALTH OFFICER, STATE

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Labeling, sale and distribution of, regulated, act amended. H. B. 841, p. 1073.

## HIGHWAY BOARD

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## HIGHWAY DEPARTMENT, STATE

Abolished 8. H. B. 241, p. 217.

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Cherokee County, to construct and maintain roads and bridges in. H. B. 808, pp. 1007, 1063, 1167, 1513, 1537, 1696.

Counties where control over roads and bridges is vested in, county residents must be employed by department where possible. H. B. 38, pp. 18, 116, 312.

County roads and bridges, legislature prohibited from authorizing construction, repair and maintenance by, constitutional amendment. H. B. 133, pp. 67, 353, 647.

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Piers or platforms on the sides of certain bridges from which fish may be caught, required to construct. H. B. 21, pp. 15, 1123.

Rights of way for roads and bridges, acquisition of, code section amended. H. B. 56, p. 26.

Rights of way for state roads, acquisition of. H. B. 255, pp. 229, 429, 1694, 2141, 2144, 2152.

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Uniform marking and erection of signs on highways, code section amended. H. B. 675, pp. 766, 934, 1720.

Vehicles, oversize, director may issue special permit for movement of over highways. H. B. 834, pp. 1070, 1123, 1288, 1958, 2000, 2148.

Winston County, to construct and maintain roads and bridges in. H. B. 802, pp. 948, 1005, 1232, 1443.

## HIGHWAY PATROL

State department of public safety, act creating amended. S. B. 50, pp. 188, 215, 288, 349; H. B. 128, pp. 65, 114, 289.

State policemen, joint resolution directing the improvement of retirement benefits for employees classified as. S. J. R. 60, pp. 1106, 1164.

## HIGHWAY PATROL FUND

Funds in, collection and distribution of, code section amended. S. B. 49, pp. 156, 215, 287, 345; H. B. 127, pp. 65, 114, 287.

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Lubricating oil, distribution of proceeds of tax on, code section amended. S. B. 128, pp. 477; S. B. 48, pp. 187, 215, 289, 345; H. B. 129, pp. 65, 115, 289.

## HIGHWAYS

- Agricultural center, state highway department authorized to construct and maintain roads on, act amended to include walkways and vehicular parking areas. H. B. 336, pp. 297, 478, 1255, 2110, 2121, 2150.
- Alabama turnpike authority, incorporation of. H. B. 232, pp. 178, 214, 342, 345, 373, 393, 931, 957, 991.
- Controlled-access facilities, provided for. H. B. 452, pp. 443, 786, 1533.
- Counties 22,000 to 23,000 population, construction, repair and maintenance of roads and bridges on a county-wide basis. H. B. 490, pp. 511, 562, 625, 729, 738, 750.
- Counties 400,000 or more population, incorporation of tunnel authorities for construction of vehicular tunnels, authorized. H. B. 155, pp. 78, 296, 371, 861, 930, 993, 1305, 1311, 1381.
- County roads and bridges, construction, repair and maintenance by state highway department prohibited by legislative act, constitutional amendment. H. B. 133, pp. 67, 353, 647.
- County roads and bridges, counties where jurisdiction of is vested in state highway department, county residents must be employed by department where possible. H. B. 38, pp. 18, 116, 312.
- Department of roads and highways, created. H. B. 241, p. 217.
- Driver of vehicle which strikes animal required to give aid to, notify owner of. H. B. 260, pp. 224, 999.
- Driver's license revoked under the motor vehicle safety responsibility act, restoration of when judgment against driver has been paid from unsatisfied judgment fund. H. B. 245, pp. 220, 652.
- Fines and forfeitures paid upon conviction of violating laws regulating operation of motor vehicles upon, disposition of. H. B. 220, p. 169.
- Inspection of motor vehicles, required. H. B. 154, p. 78.
- Legislative committee on roads and highways, created. H. B. 241, p. 217.
- Liability of counties for injury or damages resulting from defects in county roads and bridges. H. B. 236, p. 180.
- Lighted matches, cigarettes, and other burning materials, unlawful to throw from vehicles onto. H. B. 195, pp. 160, 213, 332.
- Mailbox turnouts on, construction of. H. B. 488, pp. 511, 1004, 1249.
- Motor vehicles hauling logs, lumber, bale cotton, etc., load required to be fastened with chain or cable to prevent shifting or dropping off. H. B. 148, pp. 77, 352, 539.
- Motor vehicles, limitations on privilege of overtaking and passing, code section amended. H. B. 747, p. 864.
- Motor vehicles, overloading of, penalties for, code section amended. H. B. 109, p. 62.
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## HIGHWAYS—Continued

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Motor vehicles, size and weight limits, exemptions from, code section  
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Mud flaps, certain vehicles required to have. H. B. 150, pp. 77, 1110.

Parking motor vehicles on, penalty for, code section amended. H. B.  
389, p. 368.

Railroads required to install safety warning device at grade cross-  
ings. H. B. 659, p. 764.

Rights of way for roads and bridges, acquisition of, code section  
amended. H.B. 56, p. 26.

Rights of way for state roads, acquisition of. H. B. 255, pp. 229, 429,  
1694, 2141, 2144, 2152.

Roads on lands used by an agricultural experiment station, state  
highway department to construct and maintain. S.B. 127, pp.  
447, 862, 1905, 2007.

State highway department, abolished. H.B. 241, p. 217.

Trailers, towing with a farm tractor under certain conditions au-  
thorized. H. B. 444, p. 442.

Trains in excess of thirty-two hundred feet long, unlawful to block  
streets and highways by. H. B. 152, p. 78.

Trucks operating on, required to have painted or affixed thereto  
name and address of owner and kind of business in which used.  
H. B. 149, pp. 77, 1110.

Uniform marking and erection of signs on, code section amended.  
H. B. 675, pp. 766, 934, 1720.

Unsatisfied judgment fund, created. H. B. 245, pp. 220, 652.

Vehicles, oversize, permits for movement over, authorized. H. B.  
834, pp. 1070, 1123, 1288, 1958, 2000, 2148.

## HOLIDAYS

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## HOMESTEAD

Administration and payment of debts, homestead exempt from,  
code sections amended. H. B. 427, pp. 434, 558, 1290.

Ad valorem taxes, exemption from, code section amended—H. B.  
445, pp. 442; H.B. 542, p. 573.

Claim and contest of, code sections amended. H. B. 499, p. 515.

Exemption from levy and sale under execution or other process for  
the collection of debts, code section amended. H. B. 498, p. 515.

## HORSES

Misdemeanor to butcher or slaughter. H.B. 170, p. 85.

## HORSESHOE BEND, BATTLE OF

Joint resolution memorializing congress to enact legislation creating  
military park at site of. H. J. R. 42, pp. 689, 773, 783, 784.



**HOSPITAL BOARD, COUNTY**

Counties 80,000 to 94,000 population, created. S. B. 317, pp. 1362, 1393, 1592, 1743; H. B. 811, pp. 1013, 1063, 1167, 1513, 1538, 1696.

Counties 125,000 to 225,000 population, creation of authorized. S. B. 314, pp. 1362, 1392, 1591; H. B. 823, pp. 1015, 1064, 1169, 1514, 1539, 1696.

Counties 225,000 to 400,000 population, created. H. B. 418, pp. 410, 430, 500, 639, 646, 648, 744, 745; S. B. 152, pp. 502, 509, 600, 632.

**HOSPITALIZATION INSURANCE**

Cancellation and alteration of policies of, regulated. H. B. 346, p. 300; H. B. 70, pp. 29, 1545.

**HOSPITALS**

Advisory board to assist in establishing rules and regulations for licensing, additional member. H. B. 277, pp. 233, 478.

Counties 63,700 to 70,000 population, purchase of medical, surgical and hospital supplies exempt from system of competitive bidding. H. B. 984, pp. 1399, 1549, 1705, 1955, 1999, 2148.

Counties 80,000 to 94,000 population, hospital board created. S. B. 317, pp. 1362, 1393, 1592, 1743; H. B. 811, pp. 1013, 1063, 1167, 1513, 1538, 1696.

Counties 80,000 to 94,000 population, sales and use taxes, levy authorized for hospital purposes. H. B. 878, pp. 1138, 1182, 1744, 1769, 1955, 1999, 2148.

Counties 94,000 to 134,000 population, statements and releases procured from patients in hospitals, use of regulated. H. B. 923, pp. 1208, 1320.

Counties 125,000 to 225,000 population, joint public charity hospital board, creation of, authorized. S. B. 314, pp. 1362, 1392, 1591; H. B. 823, pp. 1015, 1064, 1169, 1514, 1539, 1696.

Counties 225,000 to 400,000 population, hospital board created. S. B. 152, pp. 502, 509, 600, 632; H. B. 418, pp. 410, 430, 500, 639, 646, 648, 744, 745.

Counties 500,000 or more population, authorized to create public corporation for the purpose of constructing, operating, for tubercular patients. H. B. 426, pp. 433, 479, 519, 729, 737, 750.

Hospitalization and medical insurance policies, cancellation and alteration of, regulated. H. B. 70, pp. 29, 1545; H. B. 346, p. 300.

Lien in favor of, upon cause of action accruing to injured person to whom care and treatment is given. S. B. 132, pp. 475, 756, 1968, 2023.

Medical clinics, incorporation of board to acquire and operate in municipality, authorized. H. B. 584, pp. 620, 758, 1027, 1058, 2033, 2057, 2108, 2112, 2149.

Physicians, admittance to staff membership, regulated. H. B. 408, p. 403.

Public, constitutional amendment authorizing special taxes for purposes of. H. B. 480, pp. 510, 934, 1485, 2126, 2131, 2152.

Public corporation for hospital purposes in any county, incorporation of, act amended. H. B. 485, pp. 510, 557, 682, 896, 927, 990.

## HOTELS

Privilege license tax levied on. H. B. 52, p. 25; H. B. 87, pp. 33, 834, 878, 880, 882, 963, 981, 1092, 1314, 1367, 1381; H. B. 100, p. 38; H. B. 497, p. 514.

## HOUSE OF REPRESENTATIVES

Board of apportionment created, constitutional amendment. H. B. 406, p. 403.

Clerk authorized to appoint electrical roll call operator and assistant clerk, joint resolution. H. J. R. 74, pp. 1772, 1804, 1846, 1866.

Clerk relieved of responsibility for codes, supplements, and other books furnished to members of the legislature. H. J. R. 93, pp. 2027, 2061, 2116, 2150.

Expenses and compensation of members, constitutional amendment. H. B. 400, p. 402.

Speaker, expenses of. H. B. 358, p. 362.

## HOUSING AUTHORITIES

Creation, obligations, and proceedings of, validated. H. B. 147, pp. 77, 266, 467, 2134, 2141, 2151.

Property acquired through condemnation or right of eminent domain, power to dispose of limited. H. B. 824, p. 1016.

Rentals charged by, act limiting amount of amended. H. B. 146, pp. 77, 266, 468, 2134, 2140, 2151.

Slum areas, additional power and authority to eliminate or prevent the spread of. H. B. 145, pp. 76, 267, 469, 2134, 2140, 2151.

## HOUSING AUTHORITIES, COUNTY

Creation, obligations, and proceedings of, validated. H. B. 147, pp. 77, 266, 467, 2134, 2141, 2151.

Property acquired through condemnation or right of eminent domain, power to dispose of limited. H. B. 824, p. 1016.

Rentals charged by, act limiting amount of amended. H. B. 146, pp. 77, 266, 468, 2134, 2140, 2151.

## HOUSING AUTHORITIES, MUNICIPAL

Creation, obligations and proceedings of, validated. H. B. 147, pp. 77, 266, 467, 2134, 2141, 2151.

Creation of, code sections amended. H. B. 436, pp. 437, 562.

Property acquired through condemnation or right of eminent domain, power to dispose of limited. H. B. 824, p. 1016.

Rentals charged by, act limiting amount of amended. H. B. 146, pp. 77, 266, 468, 2134, 2140, 2151.

## HOUSTON COUNTY

Dothan, city of, relief of C. J. Parrish, Jr. S. B. 123, pp. 382, 398, 449, 466.

Sheriff, office of, regulated, act amended. H. B. 1011, pp. 1558, 1701, 1782, 2017, 2046, 2149; S. B. 372, pp. 1858, 1891, 2030, 2060.

**HUBBARD, MRS. DAN**

Talladega County, relief of. S. B. 250, pp. 911, 936, 1026, 1088.

**HUDDLESTON, PATRICIA**

Joint resolution expressing congratulations upon her being chosen Miss Alabama. H. J. R. 57, pp. 1089, 1102, 1108, 1174.

**HUGHS, H. L.**

Marshall County, relief of. H. B. 467, pp. 487, 508, 597, 736, 753, 783.

**HUNTING**

Boats furnished with or without charge to the public, licensing, safety measures. H. B. 851, p. 1077.

Clarke County, nighttime hunting of raccoons and opossums, authorized. H. B. 354, pp. 357, 397, 446, 638, 645, 648.

Deer and turkey, big game permits for the hunting of. H. B. 753, pp. 865, 1116.

Fur-bearing animals, licenses to capture and kill, code section amended. H. B. 417, pp. 410, 556.

License, lifetime, for persons over sixty-five years of age. H. B. 135, pp. 68, 115, 384, 640, 749.

**HUNTSVILLE, CITY OF**

Boundaries altered. S. B. 332, pp. 1377, 1394, 1598, 1743.

Joint resolution extending felicitations to on its sesquicentennial. H. J. R. 82, pp. 1909, 1977, 2010, 2148.

**HURTSBORO, TOWN OF**

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**PENSIONS AND SECURITY, STATE BOARD OF**

Created. H. B. 171, p. 85.

**PENSIONS AND SECURITY, STATE DEPARTMENT OF**

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## PRISONERS—Continued

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## PUBLIC HEALTH—Continued

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- Barbiturates, sale and handling of, regulated, act amended. H. B. 506, pp. 563, 653, 1695.
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- Commission on education with respect to alcoholism authorized to establish outpatient clinics. H. B. 345, p. 300.
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- Inoculation of school children, state board of health to furnish all vaccines and serums for. H. B. 402, p. 402.
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- Milk, uniform standards for testing, inspecting and grading. H. B. 705, pp. 793, 1116, 1769.
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- Narcotic drugs, definitions pertaining to regulation of, code section amended. H. B. 507, pp. 563, 653, 1695.
- Ophthalmic dispensing, practice of, regulated. H. B. 251, pp. 229, 559, 1746, 1756, 1766.
- Optometry, practice of, regulated, code section amended. H. B. 797, pp. 947, 1111, 1836.
- Paregoric, unlawful to sell without written prescription. H. B. 662, p. 765.



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**PUBLIC HEALTH, STATE BOARD OF**

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## SCHOOLS

- Ad valorem taxes, for public school purposes, additional, constitutional amendment. H. B. 372, pp. 365, 398; S. B. 35, pp. 930, 1003, 1531, 1963, 1977, 2023.
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- Bonds for increasing teachers' salaries and educational purposes, issuance authorized, constitutional amendment. H. B. 501, p. 515.
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- Special educational trust fund, certain surplus to be used for increasing teachers' salaries. S. B. 131, pp. 476, 1774; H. B. 886, p. 1139; H. B. 860, p. 1083.
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Marion County, privilege license, calling an election to authorize. H. B. 633, pp. 700, 759, 795.

Privilege license tax levied on producers, bottlers, and distributors. H. B. 380, p. 367; H. B. 582, p. 619.

Soda water and other beverages containing artificial or non-nutritive sweetening, manufacture of, authorized. S. B. 113, pp. 383, 479, 1090, 1106.

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## SOLICITOR, CIRCUIT—Continued

- ~~Second judicial circuit, fund for the use of, created. H. B. 902, p. 1155.~~
- Sixth judicial circuit, secretary, compensation. H. B. 562, pp. 590, 999, 1231, 1869, 1986. 2146.
- Sixth judicial circuit, solicitor's fund created. H. B. 561, pp. 590, 756, 871, 1364, 1382, 1534.
- Supernumerary circuit solicitors, provided for. H. B. 285, p. 237.
- Tenth judicial circuit, supplemental salary. S. B. 341, pp. 1497, 1552, 1719, 1763.
- Thirteenth judicial circuit, solicitor's fund created. H. B. 75, pp. 31, 58, 249, 638, 645, 648.
- Thirty-second judicial circuit, created, solicitor provided for. H. B. 16, pp. 12, 212, 324, 548, 552, 609.
- Thirty-third judicial circuit, provided for. H. B. 768, pp. 938, 1000.
- Twelfth judicial circuit, solicitor's fund, created. S. B. 197, pp. 743, 1546, 1900, 2007.
- Twenty-fourth judicial circuit, law enforcement fund for use of, created. H. B. 772, pp. 940, 1328, 1775.

## SOLICITOR, COUNTY

- Colbert County, office space and telephone service. H. B. 905, pp. 1158, 1182, 1449, 1872, 1989, 2146.
- Counties 29,500 to 30,500 population, additional compensation. H. B. 759, pp. 1869, 935, 1021, 1364, 1383, 1534.
- St. Clair County, office created. S. B. 366, pp. 1864, 1891, 2029, 2059.

## SOLICITOR, DEPUTY

- Appropriation, for telephone service, stationery, stamps, and office equipment. H. B. 130, pp. 65, 115, 309, 475, 496, 504.
- Cherokee County, supplies, clerical assistance, act amended. H. B. 421, pp. 431, 480, 520, 729, 737, 750.
- Chilton County, office created. H. B. 1031, pp. 1585, 1701, 1784, 2019, 2046, 2149.
- Counties 29,500 to 30,000 population, additional compensation. H. B. 759, pp. 869, 935, 1021, 1364, 1383, 1534.
- Counties 400,000 or more population, compensation. H. B. 939, pp. 1226, 1327, 1479, 1874, 1991, 2147.
- Lamar County, salary. H. B. 975, pp. 1349, 1394, 1597, 1868, 1985, 2146.
- Pike County, clerk authorized. S. B. 184, pp. 687, 760, 801, 809.
- St. Clair County, office abolished. S. B. 366, pp. 1864, 1891, 2029, 2059.
- Tenth judicial circuit, assistant deputy circuit solicitor, compensation. H. B. 971, pp. 1347, 1397, 1611, 1875, 1992, 2147.
- Tenth judicial circuit, Bessemer division, salary. H. B. 949, pp. 1228, 1326, 1472, 1877, 1994, 2147.

## SOLICITOR, DEPUTY—Continued

Tenth judicial circuit, compensation. H. B. 971, pp. 1347, 1397, 1611, 1875, 1992, 2147.

Tenth judicial circuit, fourth, fifth, and sixth deputy solicitors, compensation. H. B. 592, pp. 623, 1002, 1244, 1978, 2003, 2148.

Twenty-third judicial circuit, office created. H. B. 627, pp. 691, 1114, 1245, 1978, 2002, 2148.

## SOLICITOR, SUPERNUMERARY

Provided for. H. B. 285, p. 237.

## SOUTHERN GOVERNORS' CONFERENCE

Appropriation, payment of expenses of. H. B. 119, pp. 64, 114, 257, 644, 650, 683.

## SOUTHERN INDUSTRIAL INSTITUTE

Appropriation, H. B. 215, pp. 168, 836, 879, 880, 888, 982, 1386, 1434, 1534.

## SOUTHERN REGIONAL COUNCIL

Appropriation to support program on mental health training and research. H. B. 293, p. 269.

## SOUTHERN REGIONAL EDUCATION COMPACT

Joint resolution providing for the admittance of Delaware and West Virginia into. H. J. R. 21, pp. 261, 326, 344, 347.

## SOUTHERN UNIVERSITY

Appropriation to restore interior of building formerly housing. H. B. 774, pp. 940, 1001, 1093, 1387, 1452, 1535.

## ST. CLAIR COUNTY

Board of revenue, created. H. B. 162, pp. 81, 115, 185.

Circuit clerk, clerk hire allowance. S. B. 249, pp. 910, 936, 1025, 1088.

Court of county commissioners, abolished. H. B. 162, pp. 81, 115, 185.

Judge, circuit, compensation, S. B. 9, pp. 98, 558, 743, 780.

Judge, circuit, compensation, act amended. H. B. 931, pp. 1221, 1320, 1445, 1870, 1987, 2146; H. B. 1028, p. 1581.

Ragland, town of, boundaries altered. H. B. 1032, p. 1587, 1708, 1794, 2019, 2046, 2149.

Sheriff, chief deputy and other deputies, compensation. S. B. 248, pp. 909, 936, 1025, 1088.

Solicitor, county, office created. S. B. 366, pp. 1864, 1891, 2029, 2059.

Solicitor, deputy, office abolished. S. B. 366, pp. 1864, 1891, 2029, 2059.

Superintendent of education, compensation and expense allowance. act amended. H. B. 132, pp. 66, 76, 123, 380, 391, 392.



## STATE FIRE COLLEGE

Created. H. B. 166, pp. 84, 1002, 1253, 2120, 2125, 2151.

## STATE FISH

Tarpon designated as official state salt water fish. H. B. 742, pp. 846, 862, 987, 2141, 2144, 2152.

## STATE INSURANCE FUND

Establishment of, code section amended. H. B. 328, pp. 275, 396.

Establishment and regulation of, code section amended. H. B. 219, p. 169.

## STATE OFFICE BUILDINGS

Public corporation created for purpose of constructing. H. B. 33, pp. 17, 57, 138, 898, 954, 981, 989, 996, 1033, 1059, 1103.

## STATE PUBLIC HIGHWAY AND TRAFFIC CONTROL FUND

Establishment of, act amended. H. B. 128, pp. 65, 114, 289; S. B. 50, pp. 188, 215, 288, 349.

## STATE RECREATION ADVISORY COMMITTEE

Created. H. B. 91, p. 34.

## STATE RECREATION BOARD

Created. H. B. 91, p. 34.

## STATE TEXTBOOK COMMITTEE

Establishment of, act amended. H. B. 13, p. 12.

## STATE TEXTBOOK PURCHASING BOARD FUND

Balance in fund each year appropriated for expenditure by board in ensuing year. H. B. 14, p. 12.

## STATE TRAINING SCHOOL FOR GIRLS

Appropriation. H. B. 211, pp. 168, 835, 878, 880, 887, 922, 1670, 1700, 1812, 1835, 1995, 2145.

## STATE TREASURY

General fund created in. H. B. 212, p. 168.

## STATE MILLS

Privilege license, code section amended. H. B. 527, pp. 569, 1114.

## STOCKHOLDERS

Board of directors of corporations, voting of stock. H. B. 618, p. 664.

## STONEWALL JACKSON MEMORIAL FUND

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## STREETS

Cities 6,000 or less population, certain obligations for purpose of constructing not deemed indebtedness within meaning of constitutional debt limit. S. B. 228, pp. 1388, 1548, 1962, 2007; H. B. 306, pp. 272, 652.

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Off-street parking facilities, cities authorized to acquire and operate. H. B. 313, p. 273.

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Counties 400,000 or more population, service of, by certified mail, authorized. H. B. 883, pp. 1139, 1183, 1457, 1871, 1988, 2146.

Service of by, certified mail, authorized. H. B. 884, pp. 1139, 1183, 1527.

## SUITS

Actions or suits in state courts, certain persons in service of federal government deemed to be residents of Alabama for purpose of maintaining. H. B. 125, pp. 64, 352, 640, 2112, 2121, 2150.

Civil suits filed at law for judgment on the pleadings, submission of provided for. H. B. 512, pp. 567, 665.

Cross-bills, equity rule relating to amended. H. B. 846, p. 1077.

Depositions of witnesses or parties upon oral examination for discovery of or use as evidence, taking of, provided for. H. B. 1006, pp. 1431, 1546, 1844, 2122, 2125, 2151.

Equity, bring in as parties defendant persons not known to be living or dead, decree made binding on. H. B. 475, pp. 492, 556.

Garnishment, process of, code section amended. H. B. 686, p. 768

Infants, by and against, code section amended. H. B. 752, p. 865.

Joinder of any number of employees of same employer as plaintiffs in actions involving disputes over payment of wages. H. B. 174, pp. 116, 266, 465, 644, 650, 684, 993.

Non-resident infant defendants, service upon equity rule relating to amended. H. B. 848, p. 1077.

Perpetuating testimony, failure to comply with order allowing examination of witness for the purpose of, penalty for. H. B. 998, pp. 1422, 1546.

Perpetuating testimony proceedings for, code section amended. H. B. 997, pp. 1422, 1543.

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Resident infant defendants, service upon, equity rule relating to amended. H. B. 850, p. 1077.

Venue of actions fixed, code section amended. H. B. 921, p. 1207.

## SUMTER COUNTY

Board of commissioners, act creating, amended. H. B. 919, pp. 1204, 1324, 1467, 1872, 1989, 2146.

## SUNDAYS

Holidays, legal, designating Sundays and certain other days as, code section amended. H. B. 151, pp. 78, 213, 330.

## SUPERINTENDENT OF BANKS

Compensation. H. B. 30, pp. 16, 59, 254, 261, 857, 881, 994, 1058, 1103.

## SUPERINTENDENT OF COUNTY SCHOOLS

Cullman County, act creating office of, amended. H. B. 18, pp. 13, 59, 87, 187, 194, 200.

## SUPERINTENDENT OF EDUCATION, CITY

City schools, educational policy of, code section amended. H. B. 448, p. 442.

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## SUPERINTENDENT OF EDUCATION, COUNTY

Blount County, election, duties, compensation, act amended. H. B. 658, pp. 763, 787, 849, 1048, 1059, 1103.

Clarke County, election, compensation, act amended. H. B. 896, pp. 1147, 1181, 1445, 1871, 1988, 2146.

Cleburne County, compensation. H. B. 510, pp. 565, 614, 670, 893, 923, 990.

Colbert County, office created. H. B. 904, pp. 1156, 1183, 1455; H. B. 511, pp. 565, 614, 671, 907, 923, 990, 1111.

Counties 19,200 to 20,000 population, compensation. H. B. 114, pp. 63, 76, 121, 207, 209, 258.

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Lawrence County, election. H. B. 781, pp. 942, 1005, 1166, 1512, 1537, 1696.

Marion County, election, compensation, act amended. H. B. 908, pp. 1186, 1323, 1460, 1872, 1989, 2146.

Morgan County, compensation, act amended. H. B. 1017, pp. 1567, 1702, 1788, 2018, 2062, 2150.

Pickens County, compensation, expenses. S. B. 150, pp. 501, 509, 600, 632.

Placement or assignment of pupils to schools. H. B. 296, pp. 270, 559, 780, 816, 931, 952, 991, 1309, 1313; S. B. 52, pp. 607, 612, 781, 785, 786, 837, 2127.

Placement or assignment of pupils to schools, additional compensation for performance of duties relating to, constitutional amendment. H. B. 767, pp. 938, 1004.

St. Clair County, compensation and expense allowance, act amended. H. B. 132, pp. 66, 76, 123, 380, 391, 392.

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## SUPERINTENDENT OF EDUCATION, STATE

Appropriation, for contracting with Tuskegee Institute to teach certain courses to Alabama residents. H. B. 217, pp. 169, 836, 879, 880, 889, 983, 1386, 1434, 1534.

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## SUPREME COURT

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Bonds issued by certain public corporations, validation of, prior to issuance, act amended. H. B. 641, p. 707.

Bonds issued by city or county, validation of, prior to issuance, appeals to, code section amended. H. B. 642, p. 707.

Chief justice and associate justices, traveling expenses. H. B. 158, p. 80.

Confidential secretaries, appointment and compensation, code section amended. S. B. 103, pp. 644, 652, 918, 933, 955.

Justices disqualified to try certain cases, code section amended. H. B. 474, pp. 492, 556.

Law clerks for justices, compensation. H. B. 610, pp. 663, 830, 1533.

Supernumerary justices of, election to become, code section relating to, amended. S. B. 104, pp. 932, 998, 1483, 1484, 1532.

## SUPREME COURT OPINIONS

In response to H. R. 5, relative to S. B. 2, Third Special Session, 1955. p. 804.

In response to H. R. 5, relative to H. B. 101. p. 807.

In response to H. R. 7, relative to H. B. 9, Third Special Session, 1955. p. 803.

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## SURVEYORS, LAND

Board of registration for professional engineers and land surveyors, additional appropriation. H. B. 854, pp. 1079, 1111.

## SURVEYORS, LAND—Continued

Board of registration for professional engineers, engineers-in-training, and land surveyors, created. H. B. 855, pp. 1079, 1111.

## TALLADEGA, CITY OF

Boundaries altered. H. B. 559, pp. 559, 614, 672, 894, 925, 990.

## TALLADEGA COUNTY

Civil and misdemeanors court of south Talladega County, appointment and compensation of clerk. H. B. 920, pp. 1206, 1324, 1467.

Cole, Mrs. H. F., relief of. S. B. 250, pp. 911, 936, 1026, 1088.

Coroner, clerk authorized. S. B. 323, pp. 1376, 1394, 1593, 1743.

Governing body authorized to appropriate funds for the payment of certain obligations of the county. H. B. 165, pp. 83, 115, 186, 242, 260, 294; H. B. 89, p. 33.

Hubbard, Mrs. Dan, relief of. S. B. 250, pp. 911, 936, 1026, 1088.

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Joiner, Manly R., relief of. H. B. 280, pp. 235, 269, 306.

Jurors, method of serving notice upon. H. B. 1005, pp. 1429, 1551, 1713, 1958, 2002, 2148.

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Talladega, city of, boundaries altered. H. B. 559, pp. 559, 614, 672, 894, 925, 990.

## TALLAPOOSA COUNTY

Fishing in public waters of, regulated. H. B. 654, p. 713; H. B. 93, pp. 35, 60, 94, 207, 209, 258.

Sheriff, deputies, compensation. H. B. 588, pp. 620, 654, 719, 894, 925, 990.

## TARPON

State salt water fish, designated as. H. B. 742, pp. 846, 862, 987, 2141, 2144, 2152.

## TAX ASSESSOR

Bullock County, compensation. H. B. 704, pp. 792, 834, 875, 1054, 1086, 1104.

Bullock County, regulating fees, commissions, and salary, constitutional amendment. H. B. 703, pp. 790, 834, 876, 1054, 1086, 1104.

## TAX ASSESSOR—Continued

- Cherokee County, supplies, clerical assistance, act amended. H. B. 421, pp. 431, 480, 520, 729, 737, 750.
- Compensation, code section amended. H. B. 190, pp. 159, 261, 1112, 1524, 2139, 2144, 2152.
- Constitutional amendment relative to abolition of office of. H. B. 287, p. 237.
- Constitutional amendment relative to abridgment of term of office. H. B. 252, pp. 229, 398; H. B. 243, p. 219; S. B. 30, pp. 238, 353, 647, 650, 953, 1975, 2126.
- Constitutional amendment relative to term of office. H. B. 892, p. 1141; H. B. 893, p. 1142.
- Counties 30,700 to 31,400 population and having two courthouses and a court of county commissioners, office equipment, supplies, and clerical assistance. H. B. 809, pp. 1010, 1063, 1438, 1870, 1987, 2146.
- Counties 80,000 to 94,000 population, compensation. H. B. 958, pp. 1339, 1394, 1595, 1880, 1996, 2147.
- Counties 500,000 or more population, salary. H. B. 943, pp. 1227, 1326, 1476, 1876, 1993, 2147.
- Elmore County, compensation, constitutional amendment. H. B. 24, pp. 16, 158, 244, 262, 308, 894, 923, 991.
- Elmore County, placed on salary. H. B. 413, pp. 408, 430, 519, 623, 894, 923, 990.
- Limestone County, clerical assistance, act amended. H. B. 225, pp. 171, 216, 279, 461, 493, 504.
- Mobile County, payment of salary, regulated. H. B. 634, pp. 704, 758, 793, 895, 927, 990.
- Mobile County, act providing for chief clerk, amended. H. B. 901, pp. 1154, 1182, 1447, 1871, 1988, 2146.
- Mobile County, salary. H. B. 72, pp. 30, 60, 91, 206, 208, 258.
- Morgan County, compensation, clerical assistance, act amended. H. B. 1013, pp. 1560, 1700, 1779, 2017, 2061, 2150.
- Official bond a lien on property of, code section repealed. S. B. 106, pp. 425, 1004, 1899, 2007.
- Russell County, act authorizing deputy, amended. H. B. 1004, pp. 1428, 1551, 1712, 1958, 2002, 2148.
- Wilcox County, clerk hire allowance. H. B. 652, pp. 711, 760, 798, 896, 927, 990.

## TAX COLLECTOR

- Bullock County, compensation. H. B. 704, pp. 792, 834, 875, 1054, 1086, 1104.
- Bullock County, regulating fees, commissions and salary, constitutional amendment. H. B. 703, pp. 790, 834, 876, 1054, 1086, 1104.
- Cherokee County, supplies, clerical assistance, act amended. H. B. 421, pp. 431, 480, 520, 729, 737, 750.

~~TAX COLLECTOR~~ Continued

Compensation, code section amended. H. B. 189, pp. 159, 261, 1112, 1524, 2136, 2144, 2152.

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Constitutional amendment relative to abridgment of term of office. H. B. 252, pp. 229, 398; H. B. 243, p. 219; S. B. 30, pp. 238, 353, 647, 650, 953, 1975, 2126.

Constitutional amendment relative to term of office. H. B. 892, p. 1141; H. B. 893, p. 1142.

Counties 30,700 to 31,400 population and having two courthouses and a court of county commissioners, office equipment, supplies, and clerical assistance. H. B. 809, pp. 1010, 1063, 1438, 1870, 1987, 2146.

Counties 80,000 to 94,000 population, compensation. H. B. 958, pp. 1339, 1394, 1595, 1880, 1996, 2147.

Counties 500,000 or more population, salary. H. B. 943, pp. 1227, 1326, 1476, 1876, 1993, 2147.

Elmore County, compensation, constitutional amendment. H. B. 24, pp. 16, 158, 244, 262, 308, 894, 923, 991.

Elmore County, placed on salary. H. B. 413, pp. 408, 430, 519, 623, 894, 923, 990.

Limestone County, clerical assistance, act amended. H. B. 227, pp. 173, 217, 280, 461, 494, 504.

Mobile County, payment of salary regulated. H. B. 634, pp. 704, 758, 793, 895, 927, 990.

Mobile County, salary. H. B. 419, pp. 410, 430, 501, 639, 646, 648.

Morgan County, compensation, clerical assistance, act amended. H. B. 1014, pp. 1562, 1702, 1789, 2018, 2061, 2150.

Official bond a lien on property of, code section repealed. S. B. 106, pp. 425, 1004, 1899, 2007.

Russell County, act authorizing deputy, amended. H. B. 1004, pp. 1428, 1551, 1712, 1958, 2002, 2148.

Wilcox County, clerk hire allowance. H. B. 652, pp. 711, 760, 798, 896, 927, 990.

## TAX STUDY COMMITTEE

Joint resolution creating. H. J. R. 50, pp. 859, 878, 998, 1060, 1103, 1380, 2008.

## TAXATION

Ad valorem taxes, equalization of assessed property valuations among the counties, code section amended. H. B. 536, pp. 571, 1114.

Ad valorem taxes, exemptions from, code section amended. H. B. 298, p. 270; H. B. 477, pp. 509, 558, 683; H. B. 445, p. 442; H. B. 542, p. 573; H. B. 284, p. 236.

## TAXATION—Continued

- Ad valorem taxes for public school purposes, additional, constitutional amendment. H. B. 372, pp. 365, 398; S. B. 35, pp. 930, 1003, 1531, 1963, 1977, 2023.
- Ad valorem taxes, homestead exempt from, code section amended. H. B. 445, p. 442; H. B. 542, p. 573.
- Ad valorem taxes, liens for, code section amended. H. B. 394, p. 398.
- Ad valorem taxes, non-producing interests upon oil, gas and other minerals, created, transferred, or registered, exempt from. H. B. 192, pp. 159, 756, 1850.
- Ad valorem taxes, non-producing severed mineral and royalty interests, created, transferred, or registered, exempt from. H. B. 192, pp. 159, 756, 1850.
- Ad valorem taxes, program for equal assessment of real property urged, joint resolution. S. J. R. 12, p. 454.
- Ad valorem taxes, veterans of armed forces exempted from. H. B. 284, p. 236.
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- Amusement parks, privilege license, code section repealed. H. B. 529, p. 569.
- Assessment of licenses, regulated. H. B. 530, p. 570.
- Attorneys, privilege license, code section amended. H. B. 691, p. 1141.
- Butler County, ad valorem tax for school purposes, constitutional amendment. H. B. 745, pp. 864, 934, 1020, 1365, 1383, 1535.
- Chilton County, ad valorem tax for school purposes, constitutional amendment. H. B. 991, pp. 1404, 1550, 1709, 1957, 1976.
- Cigarettes, tax levied on. H. B. 674, p. 766.
- Cities and towns authorized to levy and collect motor vehicle license and registration fee. H. B. 560, pp. 590, 757.
- Coal mines, privilege license, code section levying, repealed. S. B. 22, pp. 932, 1112, 1493, 1904, 2006, 2009.
- Coke, manufacturers and producers, privilege license. H. B. 567, p. 615.
- Cold storage plants, packing houses, and refrigerated warehouses, privilege license, code section amended. H. B. 160, pp. 81, 214, 340, 475, 496, 504.
- Counties 80,000 to 94,000 population, sales and use taxes, levy authorized. H. B. 878, pp. 1138, 1182, 1744, 1769, 1955, 1999, 2148.
- Counties 400,000 or more population, beer tax, act amended. H. B. 937, pp. 1226, 1327, 1480, 1873, 1990, 2147.
- Diesel fuel, code section amended. H. B. 516, p. 568.
- Documentary tax levied upon leases and instruments creating and transferring severed interests in non-producing oil, gas and other minerals. H. B. 192, pp. 159, 756, 1850.



~~TAXATION—Continued~~

- Electric power, manufacturers and sellers of, privilege license. H. B. 99, p. 38.
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- Estate and inheritance taxes, constitutional amendment authorizing. H. B. 791, p. 945.
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- Financial institutions, payment and distribution of taxes on, code section amended. H. B. 320, pp. 275, 653; S. B. 218, pp. 1736, 1773, 1967, 2127, 2136.
- Foreign corporations, certain exemptions from, act amended. H. B. 522, p. 569.
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- Franchise tax, due date, code section amended. H. B. 519, pp. 569, 1114.
- Franklin County, sales and use taxes levied. H. B. 397, pp. 399, 430, 590, 897, 923, 990, 994, 1032, 1059, 1103.
- Freight lines and equipment companies, ad valorem tax, code section amended. H. B. 518, p. 569.
- Gasoline, definition of distributor of, code section amended. H. B. 532, p. 570.
- Gasoline and lubricating oils, reports and records of carriers and warehouses handling, code section amended. H. B. 515, p. 568.
- Gasoline for use in school buses, city and county boards of education exempt from payment of tax on. H. B. 103, p. 60.
- Gasoline tax, discount to dealers and distributors to defray cost of collecting. H. B. 221, pp. 169, 1392, 1689, 1733, 1979, 2004, 2148.
- Gasoline tax, distribution of proceeds of, code section amended. H. B. 308, p. 272.
- Gasoline tax, gasoline sold to cities for use in city-owned motor vehicles, exempt from. H. B. 307, pp. 272, 557, 1518.
- Hospitals, public, constitutional amendment authorizing special taxes for purposes of. H. B. 480, pp. 510, 934, 1485, 2126, 2131, 2152.
- Hotels, motels, tourist courts, privilege license levied on. H. B. 52, p. 25; H. B. 100, p. 38; H. B. 87, pp. 33, 834, 878, 880, 882, 963, 981, 1092, 1314, 1367, 1381; H. B. 497, p. 514.
- Income tax, additional personal exemption for persons over sixty-five or blind. H. B. 186, p. 119.
- Income tax, credit for taxes paid on income from sources without the state, code section amended. H. B. 525, p. 569.
- Income tax, exemptions from allowed individuals, code section amended. H. B. 727, pp. 840, 863.

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- Income tax, period of limitation upon assessment and collection of, code section amended. H. B. 526, p. 569.
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- Income tax, withholding tax from wages, provided for. H. B. 272, p. 232; H. B. 273, pp. 232, 836, 878, 880, 962, 981, 1092, 1523, 1541, 1697.
- Inheritance tax, levied. H. B. 792, p. 945.
- Inheritance tax, levy authorized, constitutional amendment. H. B. 791, p. 945.
- Lawrence County, special school district taxes, authorized, constitutional amendment. S. B. 234, pp. 912, 936, 1024, 1088.
- Lee County, ad valorem tax for school purposes, constitutional amendment. H. B. 754, pp. 865, 934, 1020, 1365, 1383, 1535.
- Lee County, cities of Auburn and Opelika, ad valorem tax for school purposes, constitutional amendment. H. B. 783, pp. 944, 1005, 1097, 1369, 1385, 1535.
- Licenses, state and county, distribution of proceeds of. H. B. 43, pp. 19, 1001, 1294, 1868, 1984, 2146.
- Limestone County, additional ad valorem tax, constitutional amendment. H. B. 785, pp. 944, 1005, 1096, 1368, 1385, 1535.
- Limestone County, additional taxes for fire protection, constitutional amendment. H. B. 545, pp. 576, 614, 668, 893, 924, 991.
- Limestone County, sales and use taxes, calling election to authorize. H. B. 546, pp. 577, 614, 668, 893, 924, 990.
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- Marion County, chewing gum, candies, and snack-bar items, ordering election to authorize levy of privilege license on. H. B. 629, pp. 691, 759, 795, 897, 926, 990.
- Marion County, hydro-electric public utilities, privilege license on, act amended. H. B. 632, pp. 699, 759, 784, 895, 927, 990; H. B. 340, pp. 298, 355, 444, 464, 467, 871.
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H. B. 630, pp. 694, 759, 797, 896, 926, 990.~~

Mileage tax, motor carriers, act levying amended. H. B. 108, p. 62;  
H. B. 531, p. 570; H. B. 689, pp. 788, 1001.

Mobile County, gasoline tax, levied. H. B. 952, pp. 1228, 1325, 1472,  
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- Shelby County, ad valorem tax for school purposes, constitutional amendment. H. B. 981, pp. 1361, 1394, 1598, 1868, 1976.
- Soft drinks, privilege license, producers, bottlers and distributors. H. B. 582, p. 619; H. B. 380, p. 367.
- Special tax on incomes, levied. H. B. 788, pp. 945, 1112, 1256, 1262, 1542, 1544, 1675, 1773, 1797, 1866.
- Special tax on incomes, levy authorized, constitutional amendment. H. B. 683, pp. 767, 913, 965, 981, 1092, 1314, 1382, 1482, 1534.
- Tax assessors, compensation, code section amended. H. B. 190, pp. 159, 261, 1112, 1524, 2139, 2144, 2152.
- Tax collectors, compensation, code section amended. H. B. 189, pp. 159, 261, 1112, 1524, 2136, 2144, 2152.
- Tax study committee, created, joint resolution. H. J. R. 50, pp. 859, 878, 998, 1060, 1103, 1380, 2008.
- Telephone companies, maximum amount of privilege license tax collected from by cities, code section amended. H. B. 319, p. 275.
- Telephone service, municipalities authorized to impose excise tax on local exchange. H. B. 442, pp. 441, 557.
- Tobacco tax, discount for handling stamps, code section amended. H. B. 775, pp. 940, 1114; H. B. 898, p. 1152; S. B. 338, pp. 1390, 1546, 1949, 1977, 2103, 2115.
- Tobacco tax, affixing stamps by contract, authorized. H. B. 587, pp. 620, 834, 878, 879, 957, 981, 1092.
- Trading stamps, merchants handling, sales and use taxes levied. H. B. 597, p. 659.
- Trading stamps, privilege license on sellers of, code section amended. H. B. 812, pp. 1013, 1113, 1491, 1868, 1984, 2146.
- Trucks and trailers, license and registration fees, code sections amended. H. B. 107, p. 62.
- Tuscaloosa County, gasoline tax, act authorizing amended. H. B. 761, pp. 869, 935, 1023, 1364, 1383, 1534.
- Use tax, additional levied. H. B. 762, p. 871; H. B. 766, p. 938; H. B. 503, p. 515.
- Use tax, levy and exemptions from, code sections amended. H. B. 208, pp. 167, 835, 878, 880, 884, 1031.
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- Vending machines on which music is played, privilege license. H. B. 383, p. 368.
- Vending machines on which music is played, privilege license, code section amended. H. B. 382, p. 368.
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Retirement system, method of financing, code section amended. H. B. 982, p. 1361; S. B. 293, pp. 1390, 1546, 1949, 2025.

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Salaries, bond issue to be used to increase, constitutional amendment. H. B. 501, p. 515.

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## TEACHERS RETIREMENT SYSTEM—Continued

- Method of financing and management of funds, code sections relating to, amended. H. B. 434, pp. 436, 558, 680, 1386, 1434, 1534.
- Method of financing, code section amended. H. B. 982, p. 1361; S. B. 293, pp. 1390, 1546, 1949, 2025.

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- Clio telephone company and united telephone and telegraph company, joint resolution directing committee to continue investigation of. H. J. R. 78, pp. 1881, 1908, 1997, 2147.
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- Telephone companies, maximum amount of privilege license tax collected from by cities, code section amended. H. B. 319, p. 275.

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## TENTH JUDICIAL CIRCUIT

- Assistant deputy circuit solicitor, compensation. H. B. 971, pp. 1347, 1397, 1611, 1875, 1992, 2147.
- Deputy circuit solicitor, compensation. H. B. 971, pp. 1347, 1397, 1611, 1875, 1992, 2147.
- Deputy circuit solicitor of the Bessemer division, salary. H. B. 949, pp. 1228, 1326, 1472, 1877, 1994, 2147.
- Fourth, fifth, and sixth deputy circuit solicitors, compensation. H. B. 592, pp. 623, 1002, 1244, 1978, 2003, 2148.
- Register, salary. H. B. 965, pp. 1341, 1396, 1609, 1874, 1991, 2147.
- Solicitor, supplemental salary. S. B. 341, pp. 1497, 1552, 1719, 1763.

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- Free, state board of education required to furnish. H. B. 27, p. 16.
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- Circuit solicitor, compensation. H. B. 699, pp. 790, 833, 873, 1048, 1060, 1103.
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Judges, compensation regulated. S. B. 9, pp. 98, 558, 743, 780.

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Colbert County transferred from to eleventh judicial circuit. H. B. 104, p. 61.

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Forest fires, county governing body authorized to provide protection against. H. B. 194, pp. 160, 395, 682, 1726, 2123, 2131, 2151.

Forest fires, interstate compacts for prevention and control of, authorized. H. B. 179, pp. 117, 354, 1510, 2103, 2116, 2150.

Forest products severance tax, act levying amended. H. B. 825, 1016, 1116; H. B. 805, pp. 951, 1002; S. B. 306, pp. 1390, 1547, 1901, 2008; S. B. 307, pp. 1390, 1547, 2035, 2114.

Lighted matches, cigarettes, cigars, and other burning materials, unlawful to throw on. H. B. 195, pp. 160, 213, 332.

Limestone County, governing body authorized to provide protection against forest fires. H. B. 544, pp. 574, 613, 667, 893, 924, 990.

Lumber imported for resale within the state, marking and grading of required. H. B. 566, p. 615.

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Marion County, calling an election to authorize levy of. H. B. 630, pp. 694, 759, 797, 895, 926, 990.

Stamps, affixing by contract authorized. H. B. 587, pp. 620, 834, 878, 879, 957, 981, 1092.

Stamps, discount for handling, code section amended. H. B. 775, pp. 940, 1114; H. B. 898, p. 1152; S. B. 338, pp. 1390, 1546, 1949, 1977, 2103, 2115.

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Counties 400,000 or more population, incorporation of tunnel authorities for construction of vehicular tunnels, authorized. H. B. 155, pp. 78, 296, 371, 861, 930, 993, 1305, 1311, 1381.

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Privilege license tax, levied. H.B. 497, p. 514; H.B. 52, p. 25; H.B. 87, pp. 33, 834, 878, 880, 882, 963, 981, 1092, 1314, 1367, 1381; H.B. 100, p. 38.

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Compensation, code section amended. H.B. 871, pp. 1124, 1183, 1522, 2122, 2125, 2151.

## TRACTORS

Person selling or furnishing part for or repairs to given lien on when purchase price exceeds twenty-five dollars. H. B. 769, pp. 938, 1704, 1816; S. B. 286, pp. 1736, 1774, 1907, 2007.

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Licensing of merchants who give, sell, dispose of, etc. H.B. 597, p. 659.

Privilege license on sellers of, code section amended. H.B. 812, pp. 1013, 1113, 1491, 1868, 1984, 2146.

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License and registration fee, code section amended. H. B. 107, p. 62.

Commercial, owned by non-residents, registration of certain trailers prohibited. H. B. 355, pp. 358, 394, 1302, 1313, 2033, 2056, 2149.

Operation of prohibited in certain cases, code section amended. H. B. 444, p. 442.

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Towing with a farm tractor under certain conditions, authorized. H. B. 444, p. 442.

## TRAINS

Highways and streets, unlawful to block by trains in excess of thirty-two hundred feet long. H. B. 152, p. 78.

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Governor, lieutenant-governor, attorney general, auditor, secretary of state, treasurer, state superintendent of education, commissioner of agriculture and industries, public service commissioners, chief justice and associate justices of the supreme court, and judges of the court of appeals. H. B. 158, p. 80.

Persons traveling in state service, code section amended. H. B. 126, pp. 64, 114, 384, 530, 644, 650, 683.

## TREASURER, COUNTY

Counties 500,000 or more population, salary. H. B. 945, pp. 1227, 1326, 1475, 1877, 1994, 2147.

Official bond a lien on property of, code section repealed. S. B. 106, pp. 425, 1004, 1899, 2007.

## TREASURER, STATE

Compensation. H. B. 350, pp. 355, 559, 674, 781, 2141, 2144, 2152.



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Photographic reproductions of records, authorized. H.B. 789, pp. 945, 1001.

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Unsatisfied judgment fund, duties of relative to administration of act creating. H.B. 245, pp. 220, 652.

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Permit fee required of, code section amended. H.B. 321, pp. 275, 396.

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Motor vehicles propelled by diesel fuel, certain equipment required on. H.B. 191, p. 159.

Mud flaps, certain trucks, trailers, required to have. H.B. 150, pp. 77, 1110.

Name and address of owner and kind of business in which used required to be painted or affixed to. H.B. 149, pp. 77, 1110.

Commercial, owned by non-residents, registration of certain vehicles prohibited. H.B. 355, pp. 358, 394, 1302, 1313, 2033, 2056, 2149.

Overload of vehicle and load, penalties for, code section amended. H.B. 109, p. 62.

Size and weight limits, code section amended. H.B. 110, pp. 62, 353, 544, 547, 553, 1285, 1311, 1381.

Trucks and trailers, license and registration fees, code sections amended. H.B. 107, p. 62.

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## TUBERCULOSIS

Counties 500,000 or more population authorized to create public corporation to construct, operate, tubercular hospitals or clinics. H.B. 426, pp. 43,, 479, 519, 729, 737, 750.

Tubercular convicts, care and treatment of, code section amended. H.B. 650, p. 711.

Tubercular patients, care and treatment of, code section amended. H.B. 213, p. 168; S.B. 83, pp. 455, 558, 1487, 1543.

Tuberculosis sanatoria, bonds for the construction of, issuance authorized, constitutional amendment. H.B. 835, pp. 1070, 1115, 1690, 2142, 2144, 2148, 2152.

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Advisory board to assist in establishing rules and regulations for licensing, additional member provided for. H.B. 277, pp. 233, 478.

Bonds for the construction of, constitutional amendment authorizing issuance of. H.B. 835, pp. 1070, 1115, 1690, 2142, 2144, 2148, 2152.

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## TUSCALOOSA, CITY OF

Boundaries altered. H. B. 795, pp. 946, 1005, 1097, 1368, 1385, 1534.

Firemen's and policemen's pension and relief fund, act creating amended. H. B. 701, pp. 790, 833, 873, 1048, 1060, 1104.

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## TUSCALOOSA COUNTY

Alcoholic beverages, sale of, prohibited in certain places. S. B. 272, pp. 912, 936, 1436, 1454; H. B. 710, pp. 793, 833, 914.

Bail bonds, proceedings on forfeiture of, act repealed. H. B. 297, p. 270.

Board of education, meetings regulated. H. B. 934, pp. 1225, 1325, 1470, 1873, 1990, 2147.

Cemeteries, regulated. H. B. 585, pp. 620, 1119, 1232, 1512, 1537, 1696.

Contraband or forfeited property, disposition of proceeds of sale of. H. B. 796, pp. 947, 1005, 1098, 1368, 1385, 1534.

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Gasoline tax, act authorizing amended. H. B. 761, pp. 869, 935, 1023, 1364, 1383, 1534.

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Register, costs and fees in certain cases, regulated. H. B. 735, pp. 843, 862, 915, 1055, 1086, 1104.

Statements and releases procured from patients in hospitals, use of regulated. H. B. 923, pp. 1208, 1320.

Taxing powers of municipalities without the corporate limits of, regulated. H. B. 863, pp. 1084, 1322, 1591.

Tuscaloosa, city of, boundaries altered. H. B. 795, pp. 946, 1005, 1097, 1368, 1385, 1534.

Tuscaloosa, city of, city governing body, additional duties and compensation. S. B. 89, pp. 388, 397, 444, 466.

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## TUSCUMBIA, CITY OF

Dedication of certain property vacated and annulled. H. B. 687, pp. 787, 834, 874, 1048, 1060, 1103.

## TUSKEGEE INSTITUTE

~~Appropriation, for teaching certain courses under contract. H. B. 217, pp. 169, 836, 879, 880, 889, 983, 1386, 1434, 1534.~~

## TWELFTH JUDICIAL CIRCUIT

Judges, compensation. S. B. 9, pp. 98, 558, 743, 780.

Judges, compensation, act amended. H. B. 931, pp. 1221, 1320, 1445, 1870, 1987, 2146; H. B. 1028, p. 1581.

Pike County, deputy circuit solicitor, clerk authorized. S. B. 184, pp. 687, 760, 801, 809.

Solicitor's fund, created. S. B. 197, pp. 743, 1546, 1900, 2007.

## TWENTY-FIFTH JUDICIAL CIRCUIT

Judges, compensation. S. B. 9, pp. 98, 558, 743, 780.

Judges, compensation, act amended. H. B. 931, pp. 1221, 1320, 1445, 1870, 1987, 2146; H. B. 1028, p. 1581.

## TWENTY-FOURTH JUDICIAL CIRCUIT

Law enforcement fund for use of judge and solicitor, provided. H. B. 772, pp. 940, 1328, 1775.

## TWENTY-THIRD JUDICIAL CIRCUIT

Deputy circuit solicitor, office created. H. B. 627 pp. 691, 1114, 1245, 1978, 2002, 2148.

Judgeship, additional, created. H. B. 628, pp. 691, 1114, 1244, 1978, 2002, 2148.

## UNDERTAKERS

Sales and use taxes, caskets, burial vaults and burial clothes exempt from, act repealed. H. B. 207, pp. 167, 834, 878, 880, 885, 1031.

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